



Berryville Town Council

MEETING AGENDA

Berryville-Clarke County Government Center

101 Chalmers Court, Second Floor

Main Meeting Room

Regular Session

June 8, 2021

7:00 PM

Item

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1. **Call to Order**
2. **Pledge of Allegiance**
3. **Approval of Agenda**
4. **Presentations/Awards and Recognitions**
5. **Public Hearings**
6. **Discussion of Public Hearing Items**
7. **Citizens' Forum**

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Mayor

Recorder

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The Council of the Town of Berryville will enter closed session in accordance with §2.2-3711-A-1 of the Code of Virginia, to discuss and evaluate the performance of a specific individual.

1. Adopt motion to enter closed session.
2. Reconvene in open session.
3. Adopt resolution by roll-call vote.

15. Adjourn

**Berryville Town Council Item Report Summary
June 8, 2021**

Item Title

Consent Agenda - Approval of Minutes

Prepared By

Background/History/General Information

A consent agenda is a tool utilized by the Town Council for grouping routine business and reports into one agenda item.

Any Council member may, as a matter of privilege, remove an item from the consent agenda and have it replaced with another agenda item.

Findings/Current Activity

The consent agenda comprises four items to be considered for approval:

Minutes of the 05.11.2021 regular meeting of the Town Council
Minutes of the 05.17.2021 Town Council work session session
the Community Development Committee
Minutes of the 05.25.2021 meeting of the Personnel Committee

Minutes of the 05.18.2021 meeting of

Financial Considerations

None.

Schedule/Deadlines

Timely approval of minutes is preferable, but no deadline for such approval exists.

Other Considerations

None.

Attachments

1. Consent Agenda

Recommendation

Approval.

Sample Motion

I move that the Council of the Town of Berryville approve the consent agenda.

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
May 11, 2021
7:00 p.m.

Town Council: Present—Harry Lee Arnold, Jr., Mayor; Erecka L. Gibson, Recorder; Donna McDonald; Diane Harrison; Grant Mazzarino; Kara Rodriguez

Staff: Present--Keith Dalton, Town Manager; Christy Dunkle, Community Development Director; Chief Neal White, Berryville Police Department; Paul Culp, Town Clerk; Cynthia Poulin, Finance Clerk

Press: Mickey Powell, *The Winchester Star*.

1. Call to Order

Mayor Arnold called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

3. Approval of Agenda

Mayor Arnold noted the non-standard seating arrangements occasioned by pandemic protocols.

Ms. McDonald moved to approve the agenda. The motion passed by unanimous voice vote.

4. Presentations/Awards/Recognitions

Josh Roller of Robinson, Farmer, Cox Associates gave a presentation on the Town's Fiscal Year 2020 audit report. He explained the purpose of the components of the report and associated documents. He said the audit had detected no indications of material weakness or significant deficiency.

5. Public Hearings

Proposed FY2022 Budget

Text Amendment to §614.8(c)(3) Rear Yard requirement of the Berryville Zoning Ordinance

Ms. Dunkle explained that the Planning Commission, acting on a request by Alton C. Echols, was sponsoring a text amendment that would decrease the rear yard setback for single-family detached dwellings from 40 feet to 30 feet in the Older Person Residential zoning district.

Mayor Arnold opened the public hearing at 7:13 p.m. No one addressed the matter, and he closed the hearing at 7:14 p.m.

6. Discussion of Public Hearing Items

No further discussion occurred.

7. Citizens' Forum

Lynelle Wilkins, Dee-Dee Liggins, and Dorothy Davis each addressed the meeting, asking for tax and fee exoneration for the George Williams Estate, the new owner of record for the Milton Valley Cemetery, which was to be discussed later by the Council as unfinished business.

8. Consent Agenda

The consent agenda comprised the minutes of the April 13 Town Council regular meeting, the April 5 Town Council work session, and the April 26 meeting of the Community Development Committee.

Recorder Gibson moved to adopt the consent agenda as presented. The motion passed by unanimous voice vote.

9. Unfinished Business

Taxes and Fees Owned by the George Williams Estate (New Owner of Record for the Milton Valley Cemetery)

Mr. Dalton rebutted remarks made during citizens' forum to the effect that the cemetery had received tax bills from the Town. He said a collections attorney had performed a title search at the Town's behest, and provided the **attached** summary of the property's history. He explained that the County had changed the property's status to tax-exempt and that the Town's treasurer could exonerate the penalties and interest, totaling \$9,922.24, owed to the Town, as the delinquency was not the fault of the taxpayer.

Recorder Gibson and Mr. Dalton briefly discussed the amount of the penalties, interest, and current tax lien total.

Ms. Harrison urged the Council to vote in favor of exoneration, explaining that the matter was one of importance and that she had researched it carefully for two years. She briefly summarized the ownership history of the property.

Ms. Harrison moved that the Council adopt the **attached resolution exonerating the taxes and fees owed on Tax Map Parcel 14A6-((3))-B-3 as of this date. The motion passed by unanimous voice vote.**

10. New Business

Mr. Dalton noted that the legislature had recently prohibited May municipal elections, overriding charter provisions of individual municipalities. He said the Council had previously expressed concerns about November elections inasmuch as they can lead to local issues becoming lost in national or state matters. He said he understood the Council to prefer that if elections must be in November, they should be held in odd-numbered years and therefore simultaneously with state rather than federal elections.

Mr. Dalton said that if the Council takes no action, the next two Town elections would be in November of 2022 for Recorder and Wards 2 and 4, and in November of 2024 for Mayor and Wards 1 and 3.

Mr. Dalton said that if the Council wishes to move its elections to odd-numbered years after the brief period allowing such changes by ordinance prior to July 1, it would have to request an amendment to the Town charter, which most likely would result in the terms in office of current members being shortened for alignment with the new schedule. In this scenario, elections for Recorder and Wards 2 and 4 would occur in November of this year, with elections for Mayor and Wards 1 and 3 in November of 2023.

Mr. Dalton said that action taken in that direction must be swift, because candidates for a November 2021 election would have to qualify by June 8, and that a special meeting of the Council, with a public hearing, had been set for May 17 at 7:00 p.m. for deliberation on this matter with the Town attorney and County elections registrar present. He said the meeting could be canceled if the Council had no interest in moving the elections.

Mr. Dalton said new legislation also stipulated that municipalities with ward systems for their councils must either eliminate at-large voting in favor of ward residency requirements.

Mr. Dalton said the registrar had expressed concern about the logistical and fiscal ramifications of setting up multiple precincts. He said a charter amendment would be necessary to change the ward system, and briefly described the required changes to verbiage.

Ms. Rodriguez asked whether candidates seeking to qualify under a system with residency requirements would have to collect signatures only from voters in their wards. Mr. Dalton said yes, but that since the law would not take effect until July 1, candidates for an election in November of this year could still collect signatures at large.

Ms. Rodriguez said that even if the Council does not wish to change the system, the May 17 meeting should occur in order for the public and the registrar to have the opportunity to share their thoughts. Mr. Dalton concurred, adding that the Town attorney's presence would be helpful. The consensus of the Council was that the May 17 meeting should occur.

11. Council Member Reports

Mayor Arnold commended Ms. Dunkle and the Tree Board for the Town's Tree City USA recognition.

Recorder Gibson, Ms. McDonald, Mr. Mazzarino, and Ms. Rodriguez had nothing to add.

Ms. Harrison noted that Barns of Rose Hill would soon be resuming its Thursday jam sessions.

12. Staff Reports

Public Works

Nothing was added to the written report.

Public Utilities

Nothing was added to the written report.

Police

Nothing was added to the written report.

Community Development

Ms. Dunkle directed the Council's attention to the material in the agenda packet addressing the proposed text amendment to Section 614 Older Person Residential for which the public hearing had been held earlier in the meeting. She confirmed for Ms. Harrison that only setbacks and not lot sizes would change.

Ms. McDonald moved that the Council of the Town of Berryville adopt the attached ordinance modifying Article VI Section 614.8(c)(3) Rear Yard Requirements of the Berryville Zoning Ordinance, decreasing the rear yard setback for single-family detached dwellings from 40 feet to 30 feet in the Older Person Residential (OPR) zoning district. The motion passed by unanimous voice vote.

Administration and Finance

Nothing was added to the written report. Recorder Gibson and Mr. Dalton agreed that the Budget and Finance Committee would not need to meet in May.

Town Manager

Update: Invitation for Bids for Paving, Milling, and Striping

Mr. Dalton said there had been five responsive bidders and that the bids averaged approximately \$153,000, with a low bid of approximately \$115,000. He said the notice of intent to award had been issued and that the deadline for completion of the work had been extended from July 1 to August 15 and that he and Public Works Director Rick Boor were considering pricing for additional projects funded via VDOT reimbursables.

Water Bill Adjustment Request

Mr. Dalton directed the Council's attention to the agenda packet and briefed the members on the documents addressing an unexplained spike in the water use of a local resident who had then requested an adjustment of the bill for that usage. He explained the efforts of the Town to reach an explanation, and the authority of the Council under the local ordinance to make the requested adjustment. There was a discussion of possible causes for the increase and of policies governing such phenomena.

Ms. McDonald moved that the Council of the Town of Berryville find that the Town did not err in its denial of Mr. William Johnston's request for adjustment to his water bill for the period of 10/27/20 to 11/23/20 and that it therefore deny the appeal of the Town Manager's decision in this matter. The motion passed by unanimous voice vote.

13. Committee Updates

Budget and Finance

Recorder Gibson asked about a report that she had expected to see in the agenda packet but that had not been included. Mr. Dalton said the press of other business had precluded this but that staff would provide it promptly.

Community Development

Ms. Rodriguez said the committee would meet on May 18 at noon for discussion of the Town website, and again on June 28 at 9:00 a.m.

Personnel

Mayor Arnold and Ms. Dunkle agreed that the committee would meet on May 25 at 9:00 a.m. to discuss vacancies on the Berryville Area Development Authority and the Board of Zoning Appeals and the desire of a BADA member to transfer to the Planning Commission.

Public Safety

Ms. McDonald thanked Chief White and the police department for their role in the community.

Streets and Utilities

Ms. Harrison and Mr. Dalton agreed that the committee would not need to meet in May but might meet in June.

14. Closed Session

Recorder Gibson moved that the Council of the Town of Berryville enter closed session in accordance with §2.2-3711-A-7 of the Code of Virginia, to consult with staff regarding a pending lawsuit. The motion passed by unanimous voice vote.

The Council entered closed session at 8:09 p.m. and reconvened in open session at 8:36 p.m.

Recorder Gibson moved that that the Council of the Town of Berryville adopt the **attached resolution certifying it has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act. The motion passed by unanimous roll-call vote.**

15. Other

Recorder Gibson moved that the Council of the Town of Berryville approve the **attached Settlement Agreement and Release by and between Berryville United Methodist Housing, L.P., County of Clarke, Virginia, and the Town of Berryville, Virginia and that the Mayor is hereby authorized to execute said agreement on behalf of the Town. Further, the Treasurer is authorized and directed to pay the reimbursement required by the Agreement from General Fund Contingency Funds. The motion passed by unanimous voice vote.**

16. Adjourn

The Council adjourned by consensus on a motion by Recorder Gibson at 8:38 p.m.

Erecka L. Gibson, Recorder

Paul Culp, Town Clerk

BERRYVILLE TOWN COUNCIL SIGN-UP SHEET

Citizens' Forum

Tuesday, May 11, 2021

7:00 p.m.

Name: _____ Town of Berryville Resident?

<u>LYNELLE WILKINS</u>	Yes	<input checked="" type="radio"/> No
<u>Dee-Dee Liggins</u>	<input checked="" type="radio"/> Yes	No
<u>Dorothy Davis</u>	Yes	<input checked="" type="radio"/> No
_____	Yes	No
_____	Yes	No
_____	Yes	No
_____	Yes	No
_____	Yes	No
_____	Yes	No
_____	Yes	No
_____	Yes	No
_____	Yes	No
_____	Yes	No
_____	Yes	No
_____	Yes	No
_____	Yes	No

May 11, 2021
Discussion

Taxes and Fees owed by George Williams Estate (new owner of record Milton Valley Cemetery)

History

The Town and Clarke County were in the process of having the property in question (identified as Tax Map Parcel 14A6-((3))-B-3) sold at auction for back taxes. The Town is owed:

\$ 1,557.14 for unpaid taxes from 2002 to 2020
\$ 7,658.91 for unpaid property maintenance
\$ 258.91 for advertising
\$ 9,140.26 for interest
\$ 781.98 penalties

\$19,397.20 TOTAL

The tax sale process includes completion of a title search on the subject property.

The title search revealed that the property had been transferred to Milton Valley Cemetery in the 19th century. Seemingly, neither the County nor Milton Valley Cemetery were aware of the transfer. The tax sale process was suspended until the matter could be investigated fully.

It appears that in 1889 the property was purchased at tax auction by Mr. George Ricamore for taxes owed by Mr. Philip Williams. In 1891 Mr. Ricamore conveyed the property to the Milton Valley Cemetery Company. Apparently neither the Milton Valley Cemetery nor the County of Clarke acknowledged or knew about this transfer or the terms of the transfer were not met. Accordingly, the property was not occupied by Milton Valley and was carried in the County's tax roles as having stayed in the Williams family (last listed as George Williams Estate (George Williams died in 1918)).

On March 3, 2021 the Milton Valley Cemetery Association filed a Deed of Confirmation in the land records of the Circuit Court of Clarke County to clarify ownership of the parcel.

On March 16, 2021 the Clarke County Board of Supervisors voted to exonerate all taxes owed to the County for the parcel in parcel (penalties and interest will be forgiven by the Clarke County Treasurer). The County Commissioner of the Revenue has changed its tax roles to 1) reflect that the lot is owned by the Trustees of Milton Valley Cemetery and 2) that the property is now tax-exempt.

In accordance with §58.1-3916 of the Virginia Code, the Town's Treasurer will exonerate the penalties and interest owed to the Town totaling \$9,922.24. This action will be taken because the delinquency in this instance was not the fault of the taxpayer.

Request

The Trustees of the Milton Valley Cemetery Association request that the Town exonerate and forgive back taxes, maintenance fees, and other charges that make up the tax lien on the parcel. Once the penalties and interest are subtracted from the total, the current tax lien totals \$9,474.96. Of that, \$1,557.14 is tax principal.

Attachments

- Plat
 - o Tax Map Parcel 14A6-((3))-B-3 in YELLOW
 - o Milton Valley Cemetery in GREEN
 - o Access easement serving MVC in BLUE
- Correspondence from the Trustees of Milton Valley Cemetery Association dated March 4, 2021 containing request to consider lien forgiveness.
- Deed of Confirmation dated March 1, 2021
- Milton Valley Cemetery Association Tax Exoneration Resolution passed by the Clarke County Board of Supervisors on March 16, 2021.
- Draft resolution for the Town Council to review and consider

Sample motion

I move that the Council of the Town of Berryville adopt the attached resolution exonerating the taxes and fees owed on Tax Map Parcel 14A6-((3))-B-3 as of this date.

MILTON VALLEY CEMETERY TAX EXONERATION RESOLUTION

WHEREAS, the Trustees of the Milton Valley Cemetery Association are the owners of property located in the Town of Berryville and identified as Tax Parcel No. 14A6-((3))-B-3 ("the Property"); and

WHEREAS, the Property was deeded to Milton Valley Cemetery Company in 1891; and

WHEREAS, the Property has nevertheless been carried on the County tax rolls as owned by the George Williams Estate; and

WHEREAS, no real estate tax bills through calendar year 2020 were sent to the Milton Valley Cemetery Association and there are unpaid taxes on the Property through calendar year 2020 and the Town periodically maintained the Property;

WHEREAS, the unpaid tax principal, maintenance fees, and advertising fees total \$9,474.96.

NOW, THEREFORE BE IT RESOLVED that the Milton Valley Cemetery Association having received no real estate bills or notices through calendar year 2020, the real estate taxes through calendar year, property maintenance fees, and advertising fees, in the principal amount of \$9,474.96, are hereby exonerated.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the Berryville Town Council members assembled on the 11th day of May 2021.

APPROVED:

Harry Lee Arnold, Jr., Mayor

ATTEST:

Erecka Gibson, Recorder

AN ORDINANCE AMENDING
ARTICLE VI, SECTION 614.8(c)(3) REAR YARD SETBACK
OF THE TOWN OF BERRYVILLE ZONING ORDINANCE

BE IT ORDAINED, by the Council of the Town of Berryville, that Article VI, Older Person Residential, Section 614.8 Regulations for Single Family Detached Dwellings, of the Town of Berryville Zoning Ordinance shall be amended as follows:

ARTICLE VI

614.8 REGULATIONS FOR SINGLE FAMILY DETACHED DWELLINGS

- (a) Minimum lot size: 7,500 square feet
- (b) Minimum lot width: 60 feet
- (c) Minimum yard requirements
 - (1) Front Yard: 20 feet
 - (2) Side yard: 10 feet, except for corner lots, the side yard facing the side street shall be 20 feet or more for both main and accessory buildings
 - (3) Rear yard: ~~40~~ 30 feet
- (d) Accessory structures of less than 150 square feet: 5 feet from side and rear lot lines
- (e) Parking Requirements: The number of required off-street parking spaces shall be a total of 2 per unit.

SIGNED: _____
Harry Lee Arnold, Jr., Mayor

ATTEST: _____
Erecka L. Gibson, Recorder

Motion to Enter Closed Session

I move that the Council of the Town of Berryville enter closed session in accordance with §2.2-3711-A-7 of the Code of Virginia to discuss with staff a pending lawsuit.

DATE: May 11, 2021

MOTION: *Gibson*

VOTE:

Aye: *Unanimous roll-call vote.*

Nay:

Absent/Abstain:

ATTEST: 

Erecka Gibson, Recorder

BERRYVILLE TOWN COUNCIL

MOTION

CLOSED SESSION RESOLUTION

DATE: May 11, 2021

MOTION BY: *Gibson*

SECOND BY:

I move that the Council of the Town of Berryville adopt the following resolution certifying it has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act:

Resolution

WHEREAS, Section 2.2-3712.D of the Code of Virginia requires a certification by this Committee that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED that the Committee hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee.

VOTE:

Aye: *Unanimous roll-call vote*

Nay:

Absent/Abstain:

ATTEST: 

Erecka L. Gibson, Recorder

SETTLEMENT AGREEMENT AND RELEASE

This Settlement Agreement (the "Agreement") is entered into this 29th day of April 2021, by and between Berryville United Methodist Housing, L.P. ("BUMH"), County of Clarke, Virginia (the "County"), and Town of Berryville, Virginia (the "Town") (BUMH, the County, and the Town may be referred to individually as a "Party" and collectively as the "Parties.")

WHEREAS, BUMH owns the improved real estate located at 218 Mosby Boulevard, Berryville, Virginia (Parcel No. 14A7 A 1) (the "Property"); and

WHEREAS, the County and the Town assessed real estate taxes to BUMH for the County and the Town's 2017, 2018, 2019, and 2020 tax years based on assessments that BUMH contends are erroneous and at greater than the Property's fair market value; and

WHEREAS, the County and the Town have levied, but not yet billed, real estate taxes to BUMH for the County and the Town's 2021 tax year based on an assessment that BUMH contends is erroneous and at greater than the Property's fair market value; and

WHEREAS, BUMH filed an application for correction of erroneous assessment, styled *Berryville United Methodist Housing, L.P. v. County of Clarke, Virginia, and Town of Berryville, Virginia*, Case No. CL20-6123 (the "Action"), in the Circuit Court of Clarke County (the "Court") requesting (i) correction of the County and the Town's assessments of the Property for their 2017 tax years, and (ii) refunds of the excess taxes BUMH paid to the County and the Town due to the erroneous 2017 assessment, plus interest as required by Virginia law and the County and the Town's ordinances; and

WHEREAS, BUMH subsequently obtained leave of the Court to amend its application (the "Amended Application") to include (i) requests for correction of the County and the Town's assessments of the Property for their 2018, 2019, 2020, and 2021 tax years, (ii) refunds of the excess taxes BUMH paid to the County and the Town due to the erroneous 2018, 2019, and 2020 assessments, plus interest as required by Virginia law and the County and the Town's ordinances, and (iii) an abatement of the excess taxes levied, but not yet billed, to BUMH for the County and the Town's 2021 tax years; and

WHEREAS, the BUMH, the County, and the Town have agreed to resolve BUMH's claims set forth in the Action (as alleged in the Amended Application) on the terms set forth in this Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which each Party irrevocably acknowledges, BUMH, the County, and the Town represent, warrant, undertake, and agree as follows:

1.0 Settlement and Payment. In full and final settlement of BUMH's claims asserted in the Action (as alleged in the Amended Application), the Parties agree as follows:

1.1. Assessment Corrections. The County and the Town agree to correct their respective assessments of the Property for their 2017, 2018, and 2019 tax years to \$4,128,000. The County and the Town further agree to correct their respective assessments of the Property for their 2020 and 2021 tax years to \$4,280,000.

1.2. Real Estate Tax Refunds. The County agrees to refund the excess real estate taxes paid by BUMH based on the County's original assessments of the Property for the 2017, 2018, 2019, and 2020 tax years in the total principal amount of \$90,422.18. The Town agrees to refund the excess real estate taxes paid by BUMH based on the Town's original assessments of the Property for the 2017, 2018, 2019, and 2020 tax years in the total principal amount of \$24,947.32. The County and the Town agree to deliver their respective payments to BUMH by checks made payable to BUMH and delivered to BUMH's counsel (Williams Mullen, Attn. Shane L. Smith, 999 Waterside Dr, Ste 1700, Norfolk, VA 23510), no later than thirty (30) days after the County and the Town's respective governing bodies have approved this Agreement (which approval must occur no later than June 14, 2021).

1.3. 2021 Real Estate Tax Levies and Bills. The County agrees to correct its real estate tax levies to the Property for the 2021 tax year to the correct tax amount based on an assessment of \$4,280,000 and the County's real estate tax rate for 2021. The Town agrees to correct its real estate tax levies to the Property for the 2021 tax year to the correct tax amount based on an assessment of \$4,280,000 and the Town's real estate tax rate for 2021. The County and the Town agree that their respective real estate tax bills to BUMH (for the real estate taxes due for the 2021 tax year) will be based on their corrected real estate tax levies.

1.4. 2022 and 2023 Real Estate Tax Assessments, Levies, and Bills. The County and the Town agree that their respective assessments of the Property for their 2022 and 2023 tax years will be in the amount of \$4,280,000. The County and the Town further agree that their real estate tax levies and bills to BUMH for their 2022 and 2023 tax years will be based on assessments of the Property in the amount of \$4,280,000.

1.5. Waiver of Interest Claims. In exchange for the County and the Town's assessment corrections, real estate tax refunds, and other actions as set forth in Sections 1.1, 1.2, 1.3, and 1.4 of this Agreement, BUMH agrees to waive and release all claims for interest owed to BUMH on the excess real estate taxes collected by the County and the Town for their 2017, 2018, 2019, and 2020 tax years.

2.0 Dismissal of Action. Within five (5) business days after the execution of this Agreement by all parties, the Parties shall endorse, and BUMH shall submit to the Court for entry, an Agreed Dismissal Order for the dismissal of the Action in the form attached as Exhibit A.

3.0 Releases.

3.1. BUMH'S Releases of the County and the Town. Effective upon payment by the County and the Town of the refunds set forth in Section 1.2 of this Agreement, BUMH releases and forever discharges the County and the Town from any and all claims, demands, causes of action, or right or entitlement to relief, known or unknown, which BUMH ever had, has, or may

have arising from or relating to the County and/or the Town's assessments of or to the Property for the 2017-2023 tax years, excepting any assessments, levies, and/or bills of any ad valorem taxes, fees, or charges other than real estate taxes for the 2021, 2022, and/or 2023 tax years, which the Parties understand and agree are not within the scope of this Agreement (and, for good measure, are not contemplated by the County and/or the Town).

3.2. The County and the Town's Releases of BUMH. Effective upon execution of this Agreement by all the Parties, the County and the Town each release and forever discharge BUMH and its predecessors, successors, assigns, and/or heirs, from any and all claims, demands, causes of action, or right or entitlement to relief, known or unknown, which the County and/or the Town ever had, have, or may have arising from or relating to their respective assessments of or to the Property for their 2017-2023 tax years, excepting any assessments, levies, and/or bills of any ad valorem taxes, fees, or charges other than real estate taxes for the 2021, 2022, and/or 2023 tax years, which the Parties understand and agree are not within the scope of this Agreement (and, for good measure, are not contemplated by the County and/or the Town).

4.0 Representations and Warranties. Each Party represents and warrants to the other Party as follows, and acknowledges that reliance upon such warranty and representation by each other Party is intended, reasonable, foreseeable, and anticipated and that each warranty and representation shall survive the execution and delivery of this Agreement:

4.1. Authority. Each Party is duly and fully authorized to enter into, execute, deliver, and perform under this Agreement. Each person signing this Agreement on behalf of any Party represents and warrants that he or she is authorized to bind the Party for whom he or she is signing this Agreement, and each such Party represents and warrants that the person executing this Agreement on its behalf is authorized to do so.

4.2. Competency. Each Party is fully competent and able to enter into, execute, deliver, and perform its obligations under this Agreement.

4.3. Good Standing. Each Party which is an entity represents and warrants that it is in good standing and authorized to transact business.

4.4. No Bankruptcy. No Party is a debtor in any bankruptcy, insolvency, or similar proceeding.

4.5. No Breach or Violation. The Parties' execution, delivery, and performance under this Agreement shall not constitute, either alone or in conjunction or combination with any other events or circumstances, a breach or violation of any other agreement, law, statute, ordinance, or regulation. The Parties are not aware of any reason why this Agreement shall not be binding and enforceable according to its terms.

4.6. Counsel and Advisors. The Parties have read this Agreement, have had the opportunity to consult with counsel and advisors of their choosing, and fully understand every term of this Agreement and the legal effect of this Agreement.

4.7. No Assignment. The Parties have not granted, assigned, pledged, hypothecated, sold, or otherwise transferred any right or claim against the other Parties, such that there are any other parties necessary fully to accomplish the terms of this Agreement.

4.8. Investigation. The Parties have had the full, complete and unfettered opportunity to investigate all facts and circumstances pertinent to this Agreement and are fully satisfied with the terms, conditions, and effect of this Agreement.

4.9. Consideration. This Agreement is executed solely for the consideration herein expressed, the sufficiency of which is expressly and irrevocably acknowledged.

4.10. No Inducement. No promise, representation, or inducement has been offered or made by any Party except as set forth in this Agreement.

5.0 Miscellaneous Provisions.

5.1. Binding Effect. Each provision and term of this Agreement shall inure to the benefit of and be binding on the Parties and each of their respective successors, heirs, personal or legal representatives, assigns, directors, officers, shareholders, agents, and/or employees.

5.2. Entire Agreement. This Agreement constitutes the entire agreement between the Parties with regard to the matters set forth herein.

5.3. Modification. This Agreement, including the provisions of this paragraph, shall not be amended or modified, in whole or in part, except in writing signed by each Party.

5.4. Severability. If any provision of this Agreement is held to be unenforceable or invalid, such provision shall be fully severable and shall not affect the validity of any otherwise valid provision. In lieu thereof, there shall be added a provision that is as similar in terms to such unenforceable or invalid provision as may be possible and be enforceable and valid.

5.5. Headings. The headings to the various provisions of this Agreement are for the convenience of the Parties and are not intended, and shall not be construed, to give guidance on the proper interpretation or construction of this Agreement.

5.6. Governing Law. This Agreement shall be governed, construed and enforced under the laws of the Commonwealth of Virginia without giving effect to any conflict of laws principles.

5.7. Counterparts. This Agreement may be executed in one or more counterparts, all of which together shall constitute one agreement. This Agreement shall not be enforceable against any Party until an original or counterpart has been executed by each Party.

5.8. Drafting. Each Party has borne equal responsibility for the drafting of each provision of this Agreement, and this Agreement accurately, fully, and correctly reflects the

agreement of the Parties. This Agreement shall not be construed in favor of or against any Party by virtue of his or its role in drafting this Agreement.

5.9. Further Assurances. Each Party agrees, without further consideration other than reimbursement for reasonable out-of-pocket expenses, to take such further action as is reasonably required to accomplish the purposes of this Agreement, including but not limited to procuring and providing such resolutions, in suitable form, as may be necessary to document the authority of each corporate Party to enter into this Agreement.

5.10. Enforcement. Any action to enforce this Agreement may be brought by any Party in the Circuit Court of Clarke County, Virginia, and each Party irrevocably consents and submits to that Court's jurisdiction and to waive any objections to jurisdiction and venue in any action concerning this Agreement.

WHEREFORE, the Parties execute this Agreement to reflect and acknowledge their agreement to the terms set forth above.

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BERRYVILLE UNITED METHODIST HOUSING, L.P.

BY: OTM Mary Hardesty GP, LLC, a Texas Limited Liability Company, its General Partner

BY: On Track Ministries, Inc., a Texas non-profit corporation, its sole member

By: [Redacted Signature]

Print Name: Cliff McDaniel

Its: President

STATE OF Texas,
CITY/COUNTY OF Fort Bend, to wit:

The foregoing instrument was duly acknowledged before me, a Notary Public in and for the city/county and state aforesaid, this 29 day of April, 2021, by Cliff McDaniel of Berryville United Methodist Housing, L.P., on behalf of the company, who

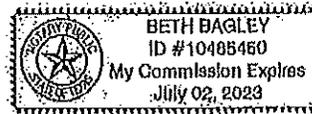
is personally known to me

has produced a Tx Drivers License as identification before me.

[Redacted Signature]
Notary Public

My commission expires: 7/2/23

Notary Registration No. 10485450



[Remainder of Page Left Blank Intentionally]

Approved as to form:

COUNTY OF CLARKE, VIRGINIA,

Robert T. Mitchell, Jr.
County Attorney

By: _____

Print Name: _____

Its: _____

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF _____, to wit:

The foregoing instrument was duly acknowledged before me, a Notary Public in and for the city/county and state aforesaid, this ____ day of _____ 2021, by _____ of the County of Clarke, Virginia, who

is personally known to me

has produced a _____ as identification before me.

Notary Public

My commission expires: _____

Notary Registration No. _____

[Remainder of Page Left Blank Intentionally]

Approved as to form;

TOWN OF BERRYVILLE, VIRGINIA,

Robert T. Mitchell, Jr.
Town Attorney

By: _____

Print Name: _____

Its: _____

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF _____, to wit:

The foregoing instrument was duly acknowledged before me, a Notary Public in and for the city/county and state aforesaid, this ____ day of _____ 2021, by _____ of the Town of Berryville, Virginia, who

is personally known to me

has produced a _____ as identification before me.

Notary Public

My commission expires: _____

Notary Registration No. _____

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EXHIBIT A

VIRGINIA: IN THE CIRCUIT COURT OF CLARKE COUNTY

BERRYVILLE UNITED METHODIST HOUSING, L.P.,

Plaintiff,

v.

Case No.: CL20006123-00

COUNTY OF CLARKE, VIRGINIA,

and

TOWN OF BERRYVILLE, VIRGINIA,

Defendants.

AGREED DISMISSAL ORDER

THIS CAUSE came upon the agreement and representation of the parties that all claims in this action have been resolved on mutually agreeable terms. The parties request that the Court dismiss this action, with prejudice, and that the Settlement Agreement and Release (filed with this Order) be incorporated into, and be made part of, this Order by reference.

UPON CONSIDERATION WHEREOF, and for good cause shown, the Court ORDERS, ADJUDGES, and DECREES that this action should be, and hereby is, DISMISSED, WITH PREJUDICE, with each party to be responsible for its own attorney's fees and costs, and that the terms of the Settlement Agreement and Release executed by the parties are hereby incorporated into, and made part of, this Order.

The Clerk is directed to place this matter among the ended causes.

ENTER this ____ day of _____, 2021

Judge

WE ASK FOR THIS:

Shane L. Smith (VSB No. 73426)
WILLIAMS MULLEN
A Professional Corporation
999 Waterside Drive, Suite 1700
Norfolk, VA 23510
Tel.: (757) 622-3366
Fax: (757) 629-0660
ssmith@williamsmullen.com
Counsel for Plaintiff

SEEN AND AGREED:

Robert T. Mitchell, Jr.
HALL, MONAHAN, ENGLE, MAHAN & MITCHELL
P.O. Box 848
Winchester, Virginia 22604
Tel.: (540) 662-3200
Fax: (540) 662-4304
rmitchell@hallmonahan.com
Counsel for Defendants

[End of Settlement Agreement and Release]

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Called Meeting
May 17, 2021
7:00 p.m.

Town Council: Present—Harry Lee Arnold, Jr., Mayor; Erecka L. Gibson, Recorder; Donna McDonald; Diane Harrison; Kara Rodriguez. Absent—Grant Mazzarino

Staff: Present--Keith Dalton, Town Manager; Paul Culp, Town Clerk

Also present: Town Attorney Robert Mitchell; Clarke County Registrar and Director of Elections Barbara Bosserman

Press: Mickey Powell, *The Winchester Star*.

1. Call to Order

Mayor Arnold called the meeting to order at 7:02 p.m.

2. Approval of Agenda

Recorder Gibson moved to approve the agenda. The motion passed by unanimous voice vote.

3. Unfinished Business

Public Hearing: Amending Dates on Which Regular Town Elections Will Be Held

Mr. Dalton noted that the General Assembly had recently prohibited May municipal elections, overriding charter provisions of individual municipalities. He said the Council had previously expressed concerns about November elections inasmuch as they can lead to local issues becoming lost in national or state matters. He said he understood the Council to prefer that if elections must be in November, they should be held in odd-numbered years and therefore simultaneously with state rather than federal elections.

Mr. Dalton said that if the Council takes no action, the next two Town elections would be in November of 2022 for Recorder and Wards 2 and 4, and in November of 2024 for Mayor and Wards 1 and 3.

Mr. Dalton said that if the Council wishes to move its elections to odd-numbered years after the brief period allowing such changes by ordinance prior to July 1, it would have to request an amendment to the Town charter. He said that if the Council acted to change the timing of elections, those for

Recorder and Wards 2 and 4 would occur in November of this year, with elections for Mayor and Wards 1 and 3 in November of 2023. Mr. Dalton said candidates for a November 2021 election would have to qualify by June 8.

Mr. Dalton said new legislation also stipulated that municipalities with ward systems for their councils must eliminate at-large voting in favor of ward residency requirements. He said that although this matter was not technically part of the public hearing, the present meeting might be a suitable forum in which to discuss it.

Mr. Dalton said the registrar had expressed concern about the logistical and fiscal ramifications of setting up multiple precincts. He said a charter amendment would be necessary to change the ward system.

A question from Ms. Rodriguez prompted a discussion of how ballots and precincts would be arranged. Ms. Bosserman said additional precincts would be needed for Town voters, with ballots listing candidates for other offices as well as Town offices. She said each new precinct would require the expenditure of \$12,000 for voting equipment, plus the need for additional poll workers.

Ms. Rodriguez said moving elections to November would increase turnout but would also promote partisanship. She said she found this disappointing, and also expressed concern about the confusion and expense that would arise from the revised ward system, but said she preferred to retain the ward system as a means of assuring representation for different parts of town. She recommended inaction on election dates for the time-being because of the limited time for candidates to qualify, with the possibility of a charter amendment later.

Mayor Arnold asked whether Town candidates would appear on a separate ballot. Ms. Bosserman said they would appear on the same ballot with candidates for other offices. He asked for clarification about the arrangement of precincts, and Ms. Bosserman said Town and non-Town voters would vote in different precincts located in the same building, with distinct ballots.

Mayor Arnold said he favored having elections in odd-numbered years but that the time for qualification was very brief. He noted the low turnout in the recent special elections but said they had been uncontested and had therefore received little publicity. Recorder Gibson said the fact that the elections had been special rather than general had exerted an effect on turnout.

Mayor Arnold said it would be necessary to provide ample publicity concerning any changes to the system.

Ms. Harrison asked whether elections would become officially partisan. Ms. Bosserman said candidates would be required to file as independents but that party endorsements would be permissible.

Ms. Harrison said the Town should not act immediately to change the election calendar, as doing so in haste would seem reactive.

Ms. McDonald asked for an explanation of the pros and cons of changing the ward system or not doing so.

Mr. Dalton said the ward system guarantees the geographic distribution of Council members and that this is true even under the current system with its at-large voting. He said the disadvantages of retaining it, with the mandated residence requirement for voters, would result from the aforementioned complications related to ballots and precincts, while abolishing the ward system in favor of purely at-large voting would result in a simple process.

Mr. Dalton noted that census results would necessitate the redrawing of ward boundaries. He and Ms. Rodriguez discussed how this was to be accomplished without disenfranchising current Council members. Ms. Bosserman provided a map depicting the arrangements of wards and election districts.

There was a further discussion of ballots. Ms. Rodriguez warned of the possibility of confusion among voters.

Ms. Harrison cautioned against allowing the Town Council to become too homogeneous in terms of the interests represented thereon.

Ms. McDonald noted the importance of personal relationships with constituents and said that this should be preserved, along with representation of interests that vary from ward to ward.

Ms. Bosserman said she would deal successfully with any complexities arising from any Council decision.

Mayor Arnold said he perceived a decline in interest in running for office and suggested that this might eventually necessitate the change to purely at-large voting.

The Council having discussed the matter, Mayor Arnold opened the public hearing at 7:52 p.m. Inasmuch as no one from the public wished to address the meeting, Mayor Arnold closed the hearing at 7:52 p.m.

In further discussion, Ms. McDonald said she had no preference regarding the dates of elections but noted the limited opportunity for qualifying.

Recorder Gibson asked Mr. Dalton what he preferred. Mr. Dalton said he would have preferred that local elections not be mixed with state or national ones because of the partisan atmosphere and the possibility that voters uninformed about local matters would nonetheless vote on them because they were voting in state or local elections at the same time. He said he would prefer association with

state rather than national elections, but that the time for immediate action probably was too short. He recommended waiting for a charter amendment.

Mr. Dalton clarified for Recorder Gibson that current terms would be extended by six months in order to align them with the November election date.

Mayor Arnold agreed that odd-numbered years would be preferable but the time for immediate action was insufficient.

Recorder Gibson said if the Council acted immediately to change the election date, the limited opportunity for qualification would be disadvantageous for aspiring candidates not currently serving on the Council and that this would appear exclusionary. She recommended not taking immediate action.

4. New Business

None.

5. Other

Mr. Dalton commended Mr. Mitchell and Ms. Bosserman for their expertise and assistance.

6. Adjourn

The meeting adjourned by consensus at 7:56 p.m. on a motion by Ms. Rodriguez.

Erecka L. Gibson, Recorder

Paul Culp, Town Clerk

BERRYVILLE TOWN COUNCIL COMMUNITY DEVELOPMENT COMMITTEE
Berryville-Clarke County Government Center
MINUTES
May 18, 2021

A meeting of the Berryville Town Council Community Development Committee was held on Tuesday, May 18, 2021 at 12:00 p.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia.

Attendance:

Members of the committee present: Kara Rodriguez, chair; Diane Harrison

Staff participating: Christy Dunkle, Community Development Director; Paul Culp, Town Clerk; Front Desk Clerk Karen Johnson; Administrative Assistant Leslie Kelly, Berryville Police Department

Participating remotely: Megan Johnson, Client Success Manager for CivicEngage

1. Call to Order

The meeting came to order by consensus at 12:05 p.m.

2. Approval of Agenda

The agenda was approved by consensus.

3. Unfinished Business

Discussion: Website

Megan Johnson ("Ms. Johnson"), representing the Town's website provider and meeting with the committee via Zoom, summarized the products and services that are available with the package purchased by the Town.

There was a brief discussion of further coordination between the website and the Town's bill-payment portal, and of the site's mobile-responsiveness.

Ms. Johnson then shared the website's analytics from the previous twelve months. She said the site had received 57,000 visitors in that time, with 103,000 page views and 84,000 unique page views. She said this represented a 2 percent decline from the previous twelve-month period but suggested that the pandemic had reduced residents' interactions with the Town. She said the average visit to the website was about 2.5 minutes, an indication that visitors are finding the desired information quickly, but that actions per view averaged six, suggesting that too many clicks were needed.

Ms. Johnson said the most-visited pages, in order, were Area Events, Bill Payment, Police Activity Log, Taxes, Bid and Procurement Opportunities, and Employment Opportunities.

Ms. Harrison said she would like to see more attention paid to agendas and minutes.

Ms. Johnson said the most frequent searches, in order, were for information on trash, the Town Code, maps/GIS, taxes, and yard sales, but that search items were not numerous.

Ms. Johnson said 46 percent of website traffic was from mobile devices, with smartphones accounting for 42 percent and tablets for 4 percent. Ms. Harrison suggested that the figure would be higher if the area had more bandwidth. Ms. Johnson said interaction with the website via mobile devices had increased every year since 2016.

Ms. Johnson recommended rearranging the sitemap to improve navigation, and connection of the News Flash feature with the Town's activity on the County Facebook page. She said she did not recommend an app for a Town the size of Berryville.

There was a discussion of the need to make changes to the website in alignment with the Town's branding and marketing initiative. Ms. Johnson said CivicEngage recommended reconstruction of websites every four years and that this was included in the Town's contract. She said there would be an additional fee if the Town wished for CivicEngage to update the information on the website as well as its design and layout.

There was a brief discussion of compliance with the Americans with Disabilities Act.

There was a brief discussion of the possibility of giving the police department its own sub-site.

Ms. Harrison asked Ms. Johnson to provide quotes on the cost of a complete re-design and a re-design involving branding only.

4. New Business

None.

5. Other

None.

6. Adjournment

The committee adjourned by consensus at 1:02 p.m.

BERRYVILLE TOWN COUNCIL PERSONNEL, APPOINTMENTS, AND POLICY COMMITTEE
Berryville-Clarke County Government Center
MINUTES
May 25, 2021

A meeting of the Berryville Town Council Personnel, Appointments, and Policy Committee was held on Tuesday, May 25 at 9:00 a.m. in the Berryville-Clarke County Government Center, located at 101 Chalmers Court in Berryville, Virginia.

Attendance:

Members of the Committee present: Mayor Jay Arnold, Chair; Recorder Erecka Gibson

Staff present: Christy Dunkle, Community Development Director; Paul Culp, Town Clerk

Also present: John Hudson

1. Call to Order

Mayor Arnold called the meeting to order at 9:00 a.m.

2. Approval of Agenda

Recorder Gibson moved to approve the agenda. The motion passed by consensus.

3. Unfinished Business

Discussion: Appointments to the Board of Zoning Appeals, Planning Commission, and Berryville Area Development Authority

Ms. Dunkle explained that Thomas Parker would like to move from the BADA to the Planning Commission and that the term for the position on the latter body would expire on 12 November 2021.

Recorder Gibson moved that the committee recommend to the Town Council in its June meeting the reassignment of Thomas Parker from the BADA to the Planning Commission for completion of a term in office ending on November 12, 2021. The motion passed by unanimous voice vote.

The committee then discussed with Mr. Hudson the possibility of his appointment to the BADA vacancy that would be created by Mr. Parker's departure. Mayor Arnold said he had contacted Mr. Hudson about this, and briefly described Mr. Hudson's background in community affairs. Mr. Hudson explained that he had retired as chief marketing officer of the Bank of Clarke County and is now president of the Bank of Clarke County Foundation. He said his other community activities had

included leadership positions in the Salvation Army, the Clarke County Educational Foundation, and the Shenandoah Area Council on Aging, and service on the Architectural Review Board.

Ms. Dunkle and Mr. Hudson briefly discussed matters that might come before the BADA soon, such as updates to the Berryville Area Plan and the consideration of new site plans.

Recorder Gibson moved that the committee recommend to the Town Council in its June meeting the appointment of John Hudson to the BADA for completion of the unexpired term of Thomas Parker. The motion passed by unanimous voice vote.

A discussion established that the Town had not received any applications for the vacancy on the Board of Zoning Appeals. Ms. Dunkle noted that this was also true of a vacancy on the Tree Board.

Mayor Arnold said he would discuss the matter with residents who might be interested.

4. New Business

None.

5. Other

None.

6. Closed Session

None.

7. Adjourn

There being no further discussion, Recorder Gibson moved for adjournment, which occurred by consensus at 9:23 a.m.

**Berryville Town Council Item Report Summary
June 8, 2021**

Item Title

Unfinished Business -

Discussion: Proposed Amendment to the FY21 Budget

Discussion: Proposed Reserves Policy and Reserves Specifics

Discussion: Approval of the FY22 Budget and Appropriation of Funds

Discussion: American Rescue Plan Act of 2021

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. Town Manager

Recommendation

Sample Motion

The FY21 budget, as amended on July 14, 2020 provided \$85,000 for the final payment for work done on the Town's three water storage tanks. The amount budgeted was based on a payment plan developed before additional work (addressing damage to the ground reservoir floor and top section) was added to the scope. The payment due in FY2021 was actually \$155,700.

Staff proposes that the following amendment be approved:

Water Fund

Revenues

Fund Balance (Line Item # 501-3000000-0000) increase item from \$0 to \$70,700

Expenses

Tank Repair and Maint (Line Item # 501-4094200-8102) increase item from \$85,000 to \$155,700

Fund balance monies would be taken from the Water Reservoir Maintenance reserve.

Because the proposed amendment constitutes less than 1% of the approved budget, no public hearing is required prior to approval.

Sample Motion

I hereby move that the Council of the Town of Berryville amend the FY 2021 Budget and appropriate funds as follows:

Water Fund

Revenues

Fund Balance (Line Item # 501-3000000-0000) increase item from \$0 to \$70,700

Expenses

Tank Repair and Maint (Line Item # 501-4094200-8102) increase item from \$85,000 to \$155,700

**Motion for Approval
Amending the 2020-2021 Fiscal Year Budget
of the Town of Berryville**

Date: June 8, 2021

Motion By:

I hereby move that the Council of the Town of Berryville amend the FY 2021 Budget and appropriate funds as follows:

Water Fund

Revenues

Fund Balance (Line Item # 501-3000000-0000) increase item from \$0 to \$70,700

Expenses

Tank Repair and Maint (Line Item # 501-4094200-8102) increase item from \$85,000 to \$155,700

VOTE

Aye:

Nay:

Absent:

Abstain:

ATTEST

Erecka Gibson, Recorder

Proposed Reserves Policy and Reserve Specifics

The Budget and Finance Committee developed a Reserves Policy to structure the Town's reserves in a manner that prepares for budget shortfalls, payment of unexpected expenses, and payment for planned projects and purchases, in a manner that is transparent and easily accessed by the public. The Policy addresses how:

- monies are self-encumbered,
- monies may be used, and
- the Treasurer will keep the Council and public informed as to the status of reserves.

The Policy requires approval and periodic review of a reserve specifics document that provides detailed information on the monies the Council has self-encumbered. A draft reserves specifics document is attached along with the draft Policy.

Attachments:

- Reserves Policy
- Town reserves as currently constituted
- Reserves Specifics

Sample Motion

I hereby move that the Council of the Town of Berryville adopt the attached reserve policy and reserves specifics document.

Town Council Policies

Reserves

2021- 01

Approved: 6/8/21

Purpose

The Town Council creates reserves in all three funds (general, water, and sewer). These reserves are self-encumbered to enable the Council to equalize revenue shortfalls, pay for unexpected expenses, and pay for planned projects and purchases.

This policy is intended to structure the Town's reserves in a manner that prepares for the scenarios enumerated above in a manner that is transparent and easily accessed by the public.

Because the reserve funds are self-encumbered, the Council reserves the right to utilize these funds at any time as it deems appropriate, provided that such use conforms to the laws of the Commonwealth of Virginia and the Town of Berryville.

Policy

I. Reserve Policy and Fund Reserve Specifics

The Town Council establishes this policy in order to provide a framework for self-encumbering funds to meet the Town's needs. These funds are encumbered to enable the Council to equalize revenue shortfalls, pay for unexpected expenses, and pay for planned projects and purchases.

The Council will establish a Fund Reserve Specifics document in which it outlines the purpose of reserves and the amount encumbered in each reserve.

During the annual budget review and approval process and at other times it deems necessary, the Town Council will review this policy and the Funds Reserve Specifics to determine whether the Town's needs are met.

II. Use of Reserved Funds

Reserved funds may, in accordance with applicable provisions of law and the procedures contained in this policy, be expended as specifically enumerated within an approved budget or as needed during a budget year when the need for the funds was not expected.

III. Reporting

The Treasurer will provide the Council with regular reports regarding the status of reserved funds.

Procedure

I. Reserve Policy and Fund Reserve Specifics

As a part of the annual budgeting process, the Budget and Finance Committee of the Town Council will review this policy and the Fund Reserve Specifics and recommend any changes that it determines appropriate to the Town Council.

The Town Council will review the Fund Reserve Specifics as a part of its budget preparation and review. The Fund Reserve Specifics will be included in the approved budget document.

Changes may be made to the Fund Reserve Specifics at any time by an affirmative vote of the majority of the Council duly assembled.

II. Use of Reserve Funds

Reserve funds to be expended in a given year may be budgeted and appropriated as a part of a budget or budget amendment. The reserve to be used will be shown as a revenue and the project for which the funds will be used will be shown as an expense.

Reserve funds may be utilized within a budget year at the discretion of the Town Manager, provided that:

- a. the threshold requiring the advertisement of a budget amendment is not met and
- b. a full accounting of the expenditure or proposed expenditure is provided to the Council for review at its next regularly scheduled meeting.

Reserve funds may be utilized within a budget year at the discretion of the Council, provided that the use is approved by an affirmative vote of the majority of the Council duly assembled, and all budget amendment advertising requirements are met, if applicable.

III. Reporting

The Treasurer will provide the Council with an up-to-date account of reserves as a part of the Treasurer's monthly Town Council meeting packet report.

Town of Berryville Virginia
CIP Escrow Analysis at 1/31/2021 and projected balance after 2019 and 2020 amounts escrowed

1/31/2021 General Fund	1/31/2021 Balance	% Int by fund	Amounts to Escrow 2019	Amounts to Escrow 2020	Projected Balance
PW Site Plan	\$ 182,750.00		\$ -	\$ -	\$ 182,750.00
Flood Plain Mitigation	\$ 150,000.00		\$ 33,480.00	\$ -	\$ 183,480.00
Repairs 23 E Main	\$ 41,000.00		\$ 40,000.00	\$ 73,265.00	\$ 154,265.00
Wayfinding Signs	\$ 15,000.00		\$ 5,000.00	\$ 5,000.00	\$ 25,000.00
Enders Cap Proj Res	\$ 10,000.00		\$ 10,000.00	\$ 10,000.00	\$ 30,000.00
Town/Co Econ Development	\$ 5,000.00		\$ 4,500.00	\$ 5,000.00	\$ 14,500.00
Economic Development	\$ 2,500.00		\$ 2,500.00	\$ 22,500.00	\$ 27,500.00
Capital Reserve	\$ 43,508.00		\$ 36,396.00	\$ 136,866.60	\$ 216,770.60
Total Encumbered GF	<u>\$ 449,758.00</u>		<u>\$ 131,876.00</u>	<u>\$ 252,631.60</u>	<u>\$ 834,265.60</u>
CIP Funds - General Fund	\$ 533,280.92	9.11			\$ 917,788.52
Unencumbered - GF	\$ 83,522.92				\$ 83,522.92
Water Fund					
Paint Ground Reservoir	\$ 548,580.11		\$ -	\$ -	\$ 548,580.11
Clearwell Expansion	\$ 108,000.00		\$ -	\$ -	\$ 108,000.00
Water Line Improvements	\$ 452,873.71		\$ -	\$ 34,572.00	\$ 487,445.71
WPT Ins/SCADA	\$ 113,000.00		\$ 15,000.00	\$ -	\$ 128,000.00
Equip Repair Reserve	\$ 102,110.00		\$ 25,000.00	\$ 25,000.00	\$ 152,110.00
WTP Bldg Maintenance	\$ 10,000.00		\$ -	\$ -	\$ 10,000.00
Utility Rate Study	\$ 10,000.00		\$ -	\$ -	\$ 10,000.00
Capital Reserve	\$ 145,595.00		\$ 277,229.67	\$ -	\$ 422,824.67
Total Encumbered WF	<u>\$ 1,490,158.82</u>		<u>\$ 317,229.67</u>	<u>\$ 59,572.00</u>	<u>\$ 1,866,960.49</u>
CIP Funds - WF	\$ 2,051,156.28	35.04			\$ 2,427,957.95
Unencumbered WF	\$ 560,997.46				\$ 560,997.46
Sewer Fund					
Sewer Collection Sys Rehab	\$ 704,553.76		\$ 20,546.10	\$ 115,000.00	\$ 840,099.86
SCADA	\$ 2,218.00		\$ 15,000.00	\$ -	\$ 17,218.00
Membrane Rep Reserve	\$ 540,000.00		\$ 10,000.00	\$ 10,000.00	\$ 560,000.00
Equip Repair Reserve	\$ 90,000.00		\$ 25,000.00	\$ 25,000.00	\$ 140,000.00
Utility Rate Study	\$ 10,000.00		\$ -	\$ -	\$ 10,000.00
Capital Reserve	\$ 667,150.00		\$ 36,475.00	\$ -	\$ 703,625.00
Total Encumbered SF	<u>\$ 2,013,921.76</u>		<u>\$ 107,021.10</u>	<u>\$ 150,000.00</u>	<u>\$ 2,270,942.86</u>
CIP Funds - SF	\$ 3,270,109.65	55.86			\$ 3,527,130.75
Unencumbered SF	\$ 1,256,187.89				\$ 1,256,187.89
Total Interest CIP (Unencumbered)	\$ 1,900,708.27	100.00			\$ 1,900,708.27
Total CIP Funds	<u>\$ 5,854,546.85</u>		<u>\$ 556,126.77</u>	<u>\$ 462,203.60</u>	<u>\$ 6,872,877.22</u>
Total Encumbered	\$ 3,953,838.58		Projected encumbered		\$ 4,972,168.95
Total Unencumbered	\$ 1,900,708.27		Projected unencumbered		\$ 1,900,708.27
Total CIP Funds	<u>\$ 5,854,546.85</u>		Projected Total CIP Funds		<u>\$ 6,872,877.22</u>

Fund Reserve Specifics

Adopted: June 8, 2021

This document was adopted in accordance with the Town Council's Reserves Policy.

General Fund

General fund reserve

This reserve is established in order to provide funding for unforeseen expenses and to supplement revenues as the Council deems necessary. General fund monies budgeted in a given year that are neither spent nor otherwise encumbered will be placed in this reserve. The interest income from all general fund reserves is placed in this reserve.

Current reserve	\$112,788.52
Reserve goal	100% of annual debt service + 15% of annual GF operational expenses

Property Maintenance Reserve

The Town owns several properties for which the maintenance costs fall solely on the general fund. These properties include 23 East Main Street (includes Livery), Hogan's Alley, Crow Street Parking Lot, Rose Hill Park (including the John Rixey Moore Playground, Smithy Cottage but excluding the Barns of Rose Hill), Rixey Moore Parking Lot, and the old kennel located on the Wastewater Treatment Plant property.

The maintenance costs for the Public Works Facility and the Berryville-Clarke County Government Center are shared by all three funds. The Berryville-Clarke County Government Center is jointly owned with Clarke County; therefore, a separate fund is established for that property.

These funds may be made available for improvements to or maintenance of town properties.

Current reserve	\$325,000
Reserve goal	\$500,000

Berryville-Clarke County Government Center reserve

The Town and Clarke County constructed the Berryville-Clarke County Government Center in 2008. The facility is owned and maintained by both jurisdictions.

These funds may be made available for improvements to or maintenance of the Berryville-Clarke County Government Center.

Current reserve	\$100,000
Reserve goal	\$150,000

Flood Plain/Stormwater mitigation reserve

Berryville contains three major drainage areas. Each of these drainage areas contains a perennial stream: Town Run (known as Dog Run in the rest of Clarke County), Craig’s Run, and Buckmarsh Run. Each of these drainage areas contains smaller contributing sub-drainage areas.

The flood plain and floodway have been identified and mapped within the Town Run drainage area. Stormwater management concerns have been identified in several sub-drainage areas of the Town Run drainage area.

These funds would be available for use on flood plain/stormwater mitigation projects.

Current reserve	\$150,000
Reserve goal	\$500,000

Wayfinding sign program reserve

In recognition of the economic benefits of marketing through specialty direction signage, the Virginia Department of Transportation developed the Community Wayfinding Signs program.

The Town created this reserve to plan for the design, siting, purchase, and installation of integrated directional signage.

Phases 1 and 2 of the project (which address design and siting) are estimated to cost \$19,000 and \$13,000 respectively. The exact cost of the last phase (purchase and installation of signs) is unknown. Phase 3 costs estimates will be developed as a part of Phases 1 and 2, but is estimated at between \$75,000 and \$100,000.

Current reserve	\$ 25,000
Reserve goal	\$135,000

Economic Development reserve

This reserve was established to provide for savings that can be used to address economic development opportunities or needs that the Town Council determines should be funded.

Current reserve	\$ 20,000
Reserve goal	\$100,000

Blight abatement reserve

The Berryville Code provides the Town Council and the Town Manager with authority to demolish/secure unsafe structures and abate blight. If the Town must address such problems, then the work is paid for with public funds and the cost billed to the property owner. If the property owner fails to pay for the work, then a tax lien is placed on the property. Generally, it takes several years for the Town to recoup any of the costs incurred addressing the unsafe conditions.

These funds would be available to pay for work required to secure or demolish unsafe structures and abate blight.

Current reserve	\$50,000
Reserve goal	\$80,000

John H. Enders Vol. Fire Department reserve

This reserve was established to provide savings that can be used to assist the John H. Enders Volunteer Fire Department and Rescue Squad, which the Town Council has declared to be an integral part of the official safety program of the Town, with capital projects.

Current reserve	\$ 30,000
Reserve goal	\$100,000

Police Equipment Replacement Reserve

This reserve was established in FY20 to fund replacement of five mobile and 10 portable radios. Funds may be used for a large purchase of equipment, but may also be used to replace radios that fail prior to the anticipated FY22 purchase.

After the radio purchase this reserve would be funded to provide monies necessary to replace departmental equipment.

Current reserve	\$55,000
Reserve goal	\$75,000

Annexation Reserve

This reserve was established to provide savings that can be used to complete work required to affect annexations.

Current reserve	\$50,000
Reserve goal	\$75,000

Water Fund

Water fund reserve

This reserve is established in order to provide funding for unforeseen expenses and to supplement revenues as the Council deems necessary. Water fund monies budgeted in a given year that are neither spent nor otherwise encumbered will be placed in this reserve. The interest income from all water fund reserves is placed in this reserve.

Current reserve	\$177,257.95
Reserve goal	100% of annual debt service + 15% of annual WF operational expenses

Water storage tank reserve

The Town maintains three water tanks within its water distribution system. The Town has maintenance contracts for the three tanks, but given the importance of these improvements it is vital to provide a reserve to address unforeseen problems that may not be covered under the annual maintenance contract.

Current reserve	\$150,000
Reserve goal	\$500,000

Water treatment plant reserve

The Town's water treatment plant was constructed in 1984.

The Town of Berryville Utility Rate Study completed in 2019 identified expenses related to the replacement/upgrade of this facility and the pumping station at the Shenandoah River. The plant and pumping station projects are planned for FY 2026 and are expected to cost an estimated \$22.6 M. Engineering work for these projects should commence in FY 2025 with an estimated cost of \$2.2 M.

These funds may be made available to address unforeseen costs at the plant or begin a replacement/upgrade project.

Current reserve	\$1,300,000
Reserve goal	\$2,200,000

Water distribution system reserve

The Town maintains a system of pipes through which water is distributed from the water plant and throughout the Town. This system includes improvements such as water mains, laterals, meters and related improvements, valves, pumps, and fire hydrants. The Town of Berryville Utility Rate Study completed in 2019 identified expenses related to the replacement/upgrade of portions of the distribution system.

Current reserve	\$ 800,000
Reserve goal	\$1,200,000

Sewer Fund

Sewer fund reserve

This reserve is established in order to provide funding for unforeseen expenses and to supplement revenues as the Council deems necessary. Sewer fund monies budgeted in a given year that are neither spent nor otherwise encumbered will be placed in this reserve. The interest income from all sewer fund reserves is placed in this reserve.

Current reserve	\$327,130.75
Reserve goal	100% of annual debt service + 15% of annual SF operational expenses

Wastewater treatment plant reserve

The Town's wastewater treatment plant became operational in 2012. The useful life of the plant is expected to be at least 25 years.

These funds may be made available to address unforeseen costs at the plant or begin a replacement/upgrade project.

Current reserve	\$1,100,000
Reserve goal	\$5,000,000

Collection system reserve

The Town maintains a system of pipes and other improvements through which wastewater is collected from customers and transmitted to the wastewater treatment plant. This system includes improvements such as sewer mains, manholes, and pump stations.

The Town of Berryville Utility Rate Study completed in 2019 identified expenses related to the replacement/upgrade of portions of the collection system.

Current reserve	\$1,500,000
Reserve goal	\$2,000,000

Membrane replacement reserve

The Town's wastewater treatment plant utilizes ultrafiltration membranes as a part of the treatment process. These membranes have an expected useful life of eight to 12 years.

These funds may be made available to address the cost of membrane maintenance and replacement. A large portion of this reserve may not need to be established if the Town enters into a pre-purchase program.

Current reserve	\$ 600,000
Reserve goal	\$1,320,000

**Motion for Approval
Reserves Policy and Reserves Specifics**

Date: June 8, 2021

Motion By:

I hereby move that the Council of the Town of Berryville adopt the attached reserve policy and reserves specifics document.

VOTE

Aye:

Nay:

Absent:

Abstain:

ATTEST

Erecka Gibson, Recorder

4

FY 2021-2022 DRAFT BUDGET PREPARATION HIGHLIGHTS

REVENUES

GENERAL FUND

- RE Tax revenue projection assumes increasing RE tax rate from \$.1774/100 of value to \$.20/100 of value, a 12.7% increase.
- No increase in Personal Property tax rate.
- PPTRA remains at 70%.
- No increase in Machinery & Tools tax rate.
- No increase in Vehicle License Fees.
- No increase in Business & Professional License rates.
- Water Tank Site Lease adjustments per agreements.
- No increase in Lodging Tax, Meals Tax or Cigarette Tax.

WATER FUND

- Expenses reflect expected increase in Admin/Facility fees in late November 2021.
- Twenty-five residential Availability Fees projected.

SEWER FUND

- Expenses reflect expected increase in Admin/Facility fees in late November 2021.
- Twenty-five residential and Availability Fees projected.

OPERATING EXPENSES

ALL FUNDS

- 1% COLA with Police Dept CDP payroll increases are proposed.
- New Police Sgt Position Created
- No increase in Health Care costs.
- Employer VRS did not increase.
- TOTAL BUDGET increase of 4.38%.

GENERAL FUND

- Increase in Maintenance & Operational Expenses of 4.0%.
- Contingency is 3% of the Operating Budget.
- General Fund total increase of 5.01 %.

WATER FUND

- Increase in Maintenance & Operational Expenses of 3.49%.
- There is currently no Debt Service in the Water Fund.
- Contingency is 3 % of the Operating Budget.
- Water Fund total increase of 29.86%

SEWER FUND

- Increase in Maintenance & Operational Expenses of 6.78%.
- Debt service reflects payments to VRA.
- Contingency is 3% of the Operating Budget.
- Sewer Fund total decrease of 0.03%

**Motion for Approval
2021-2022 Fiscal Year Budget
of the Town of Berryville**

Date: June 8, 2021

Motion By:

I hereby move that the Council of the Town of Berryville adopt the attached budget for fiscal year 2021-2022, an approved copy of which shall be incorporated into the and become a part of the official minutes of this meeting, and further as set forth in this approved budget shall hereby be appropriated for fiscal year 2021-2022.

VOTE

Aye:

Nay:

Absent:

Abstain:

ATTEST

Erecka Gibson, Recorder

FY 21-22 BUDGET REVENUES

<u>Account Number</u>	<u>Account Description</u>	<u>FY</u>	
		<u>2020-2021</u>	<u>FY 21-22 REQUESTED 2021-2022</u>
GENERAL FUND			
	FUND BALANCE		
100-3000000-0000	FUND BALANCE FORWARD	\$ 145,235.00	\$ 152,000.00
	TOTAL FUND BALANCE	\$ 145,235.00	\$ 152,000.00
	REVENUE FROM LOCAL SOURCES		
100-3110101-0000	CURRENT REAL ESTATE TAXES	\$ 1,006,000.00	\$ 1,147,000.00
100-3110102-0000	DEL REAL ESTATE TAXES	\$ 5,000.00	\$ -
100-3110201-0000	UTILITY REAL ESTATE TAXES	\$ 11,200.00	\$ 11,200.00
100-3110301-0000	CURRENT PERS PROP TAXES	\$ 300,000.00	\$ 346,000.00
100-3110302-0000	DEL PERS PROP TAXES	\$ 3,500.00	\$ -
100-3110401-0000	MACHINERY & TOOLS	\$ 155,000.00	\$ 175,000.00
100-3110601-0000	TAX PENALTIES	\$ 6,000.00	\$ 6,000.00
100-3110602-0000	TAX INTEREST	\$ 2,000.00	\$ 2,000.00
	TOTAL REV FROM LOCAL SOURCES	\$ 1,488,700.00	\$ 1,687,200.00
	OTHER LOCAL TAXES		
100-3120101-0000	LOCAL SALES TAX	\$ 208,000.00	\$ 240,000.00
100-3120201-0000	CONSUMER UTILITY TAX	\$ 85,000.00	\$ 90,000.00
100-3120300-0000	BUSINESS LICENSE	\$ 200,000.00	\$ 200,000.00
100-3120402-0000	REC FRANCHISE FEES	\$ 35,000.00	\$ 35,000.00
100-3120501-0000	AUTO LICENSE	\$ 90,000.00	\$ 90,000.00
100-3120601-0000	BANK FRANCHISE TAXES	\$ 140,000.00	\$ 140,000.00
100-3120801-0000	CIGARETTE TAX (10¢)	\$ 18,000.00	\$ 15,000.00
100-3121001-0000	LODGING TAX (2%)	\$ 10,000.00	\$ 5,000.00
100-3121101-0000	MEALS TAX (4%)	\$ 312,000.00	\$ 312,000.00
	TOTAL OTHER LOCAL TAXES	\$ 1,098,000.00	\$ 1,127,000.00
	PERMITS, FEES & LICENSES		
100-3130304-0000	LAND USE APPLICATION FEES	\$ 5,000.00	\$ 1,500.00
100-3130307-0000	ZONING & SUBDIVISION FEES	\$ 10,000.00	\$ 7,500.00
	TOTAL PERMITS, FEES & LICENSES	\$ 15,000.00	\$ 9,000.00
	FINES & FORFEITURES		
100-3140101-0000	COURT FINES	\$ 25,000.00	\$ 16,000.00
100-3140102-0000	PARKING METER FINES	\$ 4,000.00	\$ 2,000.00
100-3140103-0000	ESUMMONS	\$ 1,500.00	\$ 1,000.00
	TOTAL FINES & FORFEITURES	\$ 30,500.00	\$ 19,000.00
	REVENUE FROM MONEY OR PROP		
100-3150101-0000	INTEREST ON DEPOSITS	\$ 100,000.00	\$ 95,000.00
100-3150201-0000	RENTAL OF PROPERTY	\$ 12,000.00	\$ 12,000.00
100-3150205-0000	WATER TANK SITE LEASE	\$ 82,000.00	\$ 84,000.00
100-3150206-0000	CHARGE CARD REBATE	\$ 14,000.00	\$ 19,000.00
	TOTAL FROM MONEY OR PROP	\$ 208,000.00	\$ 210,000.00
	CHARGES FOR SERVICES		
100-3160703-0000	PARKING METERS	\$ 16,000.00	\$ 10,000.00
100-3161502-0000	SALE OF PUBLICATIONS	\$ -	\$ -
	TOTAL CHARGES FOR SERVICES	\$ 16,000.00	\$ 10,000.00

	MISCELLANEOUS REVENUES				
100-3189905-0000	SALE OF SURPLUS	\$	18,000.00	\$	5,000.00
	TOTAL MISC REVENUES	\$	18,000.00	\$	5,000.00
	RECOVERED COSTS				
100-3190203-0000	REIMBURSABLE FEES	\$	-	\$	-
	TOTAL RECOVERED COSTS	\$	-	\$	-

TOTAL LOCAL REVENUES \$ 3,019,435.00 \$ 3,219,200.00

REVENUE FROM THE COMMONWEALTH

	NON-CATEGORICAL AID				
100-3220107-0000	ROLLING STOCK TAX	\$	1,850.00	\$	1,850.00
100-3220109-0000	PPTRA	\$	209,917.00	\$	209,917.00
100-3220201-0000	COMMUNICATION TAX	\$	77,000.00	\$	77,000.00
	TOTAL NON-CATEGORICAL AID	\$	288,767.00	\$	288,767.00
	CATEGORICAL AID				
100-3220108-0000	599 LAW ENFORCEMENT GRANT	\$	82,350.00	\$	82,350.00
100-3240103-0000	LE BLOCK GRANT	\$	1,000.00	\$	1,000.00
100-3240201-0000	FIRE FUND PROGRAM	\$	15,250.00	\$	15,250.00
100-3240300-0000	VDOT LANE MILE ALLOWANCE	\$	558,618.00	\$	558,615.00
100-3240301-0000	VDOT ROAD MAINTENANCE	\$	5,000.00	\$	-
100-3240302-0000	LITTER CONTROL GRANT	\$	2,000.00	\$	1,900.00
100-3240311-0000	ST EMERGENCY R&R	\$	-	\$	-
100-3240312-0000	VA COMMISSION FOR THE ARTS	\$	-	\$	4,500.00
100-3240710-0000	DMV ANIMAL FRIENDLY PLATES	\$	-	\$	-
	TOTAL CATEGORICAL AID	\$	664,218.00	\$	663,615.00

TOTAL FROM THE COMMONWEALTH \$ 952,985.00 \$ 952,382.00

REVENUE FROM THE FEDERAL GOVERNMENT

	CATEGORICAL AID				
100-3340102-0000	FEDERAL FIRE FUND PROGRAM	\$	-	\$	-
100-3340311-0000	FEDERAL EMERGENCY R&R	\$	-	\$	-
	TOTAL CATEGORICAL AID	\$	-	\$	-

TOTAL FROM FEDERAL GOVERNMENT \$ - \$ -

REVENUE FROM OTHER SOURCES

	NON-REVENUE RECEIPTS				
100-3410201-0000	MISCELLANEOUS REVENUES	\$	1,000.00	\$	1,000.00
	TOTAL FROM OTHER SOURCES	\$	1,000.00	\$	1,000.00

TOTAL FROM OTHER SOURCES \$ 1,000.00 \$ 1,000.00

TOTAL GENERAL FUND REVENUES \$ 3,973,420.00 \$ 4,172,582.00

WATER FUND

	FUND BALANCE			
501-3000000-0000	FUND BALANCE	\$	-	\$ 550,500.00
	TOTAL FUND BALANCE	\$	-	\$ 550,500.00
	REVENUE FROM MONEY OR PROP			
501-3150102-0000	INTEREST ON INVESTMENTS	\$	30,000.00	\$ 30,000.00
	TOTAL FROM USE OF MONEY OR PROP	\$	30,000.00	\$ 30,000.00
	CHARGES FOR SERVICES			
501-3160110-0000	TREATMENT FEES	\$	1,040,000.00	\$ 913,000.00
501-3160111-0000	DELINQUENT ACCT PENALTIES	\$	30,000.00	\$ 30,000.00
501-3160112-0000	SECURITY DEPOSITS	\$	-	\$ -
501-3160113-0000	AVAILABILITY CHARGES	\$	337,500.00	\$ 346,000.00
501-3160114-0000	CONNECTION CHARGES			
501-3160115-0000	METER FEES	\$	8,125.00	\$ 8,125.00
	TOTAL CHARGES FOR SERVICES	\$	1,415,625.00	\$ 1,297,125.00

TOTAL WATER FUND \$ 1,445,625.00 \$ 1,877,625.00

SEWER FUND

	FUND BALANCE			
502-3000000-0000	FUND BALANCE	\$	-	\$ -
	TOTAL FUND BALANCE	\$	-	\$ -
	REVENUE FROM MONEY OR PROP			
502-3150101-0000	INTEREST INCOME	\$	50,000.00	\$ 50,000.00
	TOTAL REVENUE FROM MONEY OR PROP	\$	50,000.00	\$ 50,000.00
	CHARGES FOR SERVICES			
502-3160110-0000	TREATMENT FEES	\$	1,800,000.00	\$ 1,790,000.00
502-3160112-0000	SECURITY DEPOSITS	\$	-	\$ -
502-3160113-0000	AVAILABILITY CHARGES	\$	362,500.00	\$ 371,625.00
	TOTAL CHARGES FOR SERVICES	\$	2,162,500.00	\$ 2,161,625.00

REVENUE FROM OTHER SOURCES

	NON-REVENUE RECEIPTS			
502-3410401-0000	VRA LOAN	\$	-	\$ -
502-3410402-0000	WQIF Grant	\$	-	\$ -
502-3410404-0000	NUTRIENT CREDIT REBATE	\$	-	\$ -
	TOTAL NON-REVENUE RECEIPTS	\$	-	\$ -

TOTAL FROM OTHER SOURCES \$ - \$ -

TOTAL SEWER FUND \$ 2,212,500.00 \$ 2,211,625.00

TOTAL REVENUES ALL FUNDS \$ 7,631,545.00 \$ 8,261,832.00

FY 21-22 BUDGET EXPENSES

Account Number	Account Description	FY 2020-2021	FY 21-22 REQUESTED 2021-2022
GENERAL FUND			
TOWN COUNCIL			
100-4011100-1111	EXPENSE COMPENSATION	\$ 18,900.00	\$ 18,900.00
100-4011100-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 1,450.00	\$ 1,450.00
100-4011100-5540	TRAINING	\$ 4,000.00	\$ 4,000.00
100-4011100-5699	LOCAL CONTRIBUTIONS	\$ -	\$ -
100-4011100-5800	MISCELLANEOUS	\$ 5,000.00	\$ 5,000.00
100-4011100-5810	Dues	\$ 3,000.00	\$ 3,000.00
100-4011100-6017	TOWN CODE SUPPLEMENTS	\$ 2,000.00	\$ 2,000.00
100-4011100-6018	STATE CODE SUPPLEMENTS	\$ -	\$ -
	TOTAL TOWN COUNCIL	\$ 34,350.00	\$ 34,350.00
TOWN CLERK			
100-4011200-1114	SALARIES/WAGES/TNCLK	\$ 44,600.00	\$ 45,900.00
100-4011200-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 3,400.00	\$ 3,520.00
100-4011200-5510	MILEAGE	\$ 250.00	\$ 250.00
100-4011200-5540	EDUCATION/TRAINING	\$ 1,000.00	\$ 1,000.00
100-4011200-5810	DUES	\$ 100.00	\$ 100.00
	TOTAL TOWN CLERK	\$ 49,350.00	\$ 50,770.00
TOWN MANAGER			
100-4012110-1112	COMPENSATION	\$ 140,500.00	\$ 141,400.00
100-4012110-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 10,740.00	\$ 10,820.00
100-4012110-3399	BLIGHT ABATEMENT	\$ 17,000.00	\$ 20,000.00
100-4012110-5230	TELECOMMUNICATIONS	\$ 600.00	\$ 600.00
100-4012110-5510	MILEAGE	\$ -	\$ 150.00
100-4012110-5540	TRAINING	\$ -	\$ 1,000.00
100-4012110-5810	DUES	\$ 500.00	\$ 500.00
	TOTAL TOWN MANAGER	\$ 169,340.00	\$ 174,470.00
LEGAL SERVICES			
100-4012210-3150	PROFESSIONAL SERVICES	\$ 35,000.00	\$ 50,000.00
	TOTAL LEGAL SERVICES	\$ 35,000.00	\$ 50,000.00
PERSONNEL			
100-4012220-2210	VRS	\$ 147,950.00	\$ 154,400.00
100-4012220-2220	VMLIP - STD	\$ 700.00	\$ 740.00
100-4012220-2230	VMLIP - LTD	\$ 6,559.00	\$ 6,675.00
100-4012220-2250	Line of Duty Act	\$ 8,500.00	\$ 8,500.00
100-4012220-2300	HEALTH INSURANCE	\$ 216,400.00	\$ 227,000.00
100-4012220-2400	LIFE INSURANCE	\$ 15,850.00	\$ 16,550.00
100-4012220-2600	UNEMPLOYMENT INSURANCE	\$ 205.00	\$ 645.00
100-4012220-2700	WORKER'S COMPENSATION	\$ 39,000.00	\$ 64,000.00
100-4012220-3110	RANDOM DRUG SCREENING	\$ 750.00	\$ 750.00
100-4012220-9001	EMPLOYEE RECOGNITION	\$ -	\$ 2,000.00
	TOTAL PERSONNEL	\$ 435,914.00	\$ 481,260.00

	INDEPENDENT AUDITOR			
100-4012240-3120	CONTRACTUAL SERVICES	\$	16,050.00	\$ 16,500.00
	TOTAL INDEPENDENT AUDITOR	\$	16,050.00	\$ 16,500.00
	TOWN TREASURER			
100-4012410-1113	COMPENSATION	\$	93,000.00	\$ 93,700.00
100-4012410-2100	MATCHING FICA EXPENSE (7.65 %)	\$	7,100.00	\$ 7,170.00
100-4012410-3130	PROFESSIONAL SER/TAX CONV	\$	2,500.00	\$ 2,500.00
100-4012410-3150	PROFESSIONAL SER/VEC	\$	-	\$ -
100-4012410-5306	SURETY BONDS	\$	500.00	\$ 500.00
100-4012410-5540	TRAINING	\$	2,000.00	\$ 2,000.00
100-4012410-5810	DUES	\$	1,050.00	\$ 1,000.00
100-4012410-6015	AUTO DECALS	\$	-	\$ -
100-4012410-6020	CIGARETTE TAX STAMPS	\$	-	\$ -
	TOTAL TOWN TREASURER	\$	106,150.00	\$ 106,870.00
	FINANCE/ACCOUNTING			
100-4012430-1113	COMPENSATION	\$	132,400.00	\$ 135,500.00
100-4012430-2100	MATCHING FICA EXPENSE (7.65 %)	\$	10,127.00	\$ 10,346.00
100-4012430-5540	TRAINING	\$	3,500.00	\$ 3,400.00
	TOTAL FINANCE/ACCOUNTING	\$	146,027.00	\$ 149,246.00
	CENTRAL ADM/PURCHASING			
100-4012530-3320	MAINTENANCE CONTRACTS	\$	46,000.00	\$ 47,500.00
100-4012530-3400	WEBSITE RESERVE	\$	1,000.00	\$ 1,000.00
100-4012530-3501	NEWSLETTER	\$	1,000.00	\$ 1,000.00
100-4012530-3600	ADVERTISING	\$	8,000.00	\$ 8,000.00
100-4012530-5210	POSTAGE	\$	12,000.00	\$ 11,500.00
100-4012530-5230	TELECOMMUNICATIONS	\$	2,000.00	\$ 3,000.00
100-4012530-5250	SOCIAL MEDIA ARCHIVING	\$	2,700.00	\$ 2,700.00
100-4012530-5415	COPIER LEASE	\$	4,500.00	\$ 4,700.00
100-4012530-5540	TRAINING	\$	2,500.00	\$ 2,500.00
100-4012530-5699	CONTRIBUTION / CC SOCIAL MEDIA	\$	5,000.00	\$ 5,000.00
100-4012530-5810	DUES	\$	500.00	\$ 500.00
100-4012530-6001	OFFICE SUPPLIES	\$	10,250.00	\$ 10,150.00
	TOTAL CENTRAL ADM/PURCHASING	\$	95,450.00	\$ 97,550.00
	RISK MANAGEMENT			
100-4012550-5304	BLANKET EXCESS LIABILITY	\$	16,000.00	\$ 16,000.00
100-4012550-5305	AUTOMOBILE INSURANCE	\$	11,000.00	\$ 12,000.00
100-4012550-5308	SEMI-MULTI PERIL INS	\$	27,700.00	\$ 27,700.00
100-4012550-5800	INSURANCE DEDUCTIBLES	\$	-	\$ -
	TOTAL RISK MANAGEMENT	\$	54,700.00	\$ 55,700.00
	ENGINEERING SERVICES			
100-4012600-3140	ENGINEERING SERVICES	\$	5,000.00	\$ 5,000.00
	TOTAL ENGINEERING SERVICES	\$	5,000.00	\$ 5,000.00
	ELECTIONS			
100-4013100-1125	ELECTION OFFICIALS	\$	2,500.00	\$ 2,000.00
100-4013100-6001	OFFICE SUPPLIES	\$	2,500.00	\$ 1,400.00
	TOTAL ELECTIONS	\$	5,000.00	\$ 3,400.00
	PUBLIC DEFENDER FEES			

100-4021500-3150	PUBLIC DEFENDER FEES	\$	2,000.00	\$	2,000.00
	TOTAL PUBLIC DEFENDER FEES	\$	2,000.00	\$	2,000.00
	POLICE DEPARTMENT				
100-4031100-1139	COMPENSATION	\$	598,300.00	\$	663,000.00
100-4031100-2100	MATCHING FICA EXPENSE (7.65 %)	\$	45,770.00	\$	50,800.00
100-4031100-3110	MEDICAL EXAMINATIONS	\$	500.00	\$	500.00
100-4031100-3115	PRE EMPLOYMENT DRUG SCREEN	\$	500.00	\$	500.00
100-4031100-3190	INTERPRETER	\$	400.00	\$	400.00
100-4031100-3310	REPAIR & MAINTENANCE	\$	12,000.00	\$	12,000.00
100-4031100-3320	MAINTENANCE CONTRACTS	\$	14,500.00	\$	17,800.00
100-4031100-4082	WILDLIFE MANAGEMENT	\$	500.00	\$	500.00
100-4031100-5210	POSTAGE	\$	500.00	\$	500.00
100-4031100-5230	TELECOMMUNICATIONS	\$	4,600.00	\$	3,000.00
100-4031100-5415	COPIER LEASE	\$	3,400.00	\$	3,400.00
100-4031100-5540	TRAINING	\$	21,500.00	\$	14,000.00
100-4031100-5545	ACCREDIATION	\$	1,700.00	\$	1,000.00
100-4031100-5810	DUES	\$	700.00	\$	700.00
100-4031100-5815	COMMUNITY RELATIONS	\$	2,000.00	\$	2,000.00
100-4031100-6001	OFFICE SUPPLIES	\$	2,350.00	\$	1,600.00
100-4031100-6008	GASOLINE & OIL	\$	14,500.00	\$	15,500.00
100-4031100-6010	SUPPLIES	\$	13,500.00	\$	13,500.00
100-4031100-6011	UNIFORMS	\$	4,000.00	\$	4,000.00
	TOTAL POLICE DEPARTMENT	\$	741,220.00	\$	804,700.00
	TRAFFIC CONTROL				
100-4031300-5699	COUNTY CONT/CROSSING GD	\$	2,500.00	\$	2,500.00
	TOTAL TRAFFIC CONTROL	\$	2,500.00	\$	2,500.00
	EMERGENCY SERVICES				
100-4031400-5699	CONTRIBUTION/CC CBNT ALRM	\$	5,000.00	\$	5,000.00
	TOTAL EMERGENCY SERVICES	\$	5,000.00	\$	5,000.00
	VOLUNTEER FIRE DEPARTMENT				
100-4032200-5699	CONTRIBUTION/JHEVFD	\$	30,000.00	\$	30,000.00
100-4032200-5707	FIRE FUND PROGRAM	\$	14,500.00	\$	15,250.00
100-4032200-88411	CAPITAL PROJECT RESERVE	\$	10,000.00	\$	10,000.00
	TOTAL VOLUNTEER FIRE DEPT	\$	54,500.00	\$	55,250.00
	CORRECTION & DETENTION				
100-4033200-5550	CONFINEMENT OF PRISONERS	\$	250.00	\$	-
	TOTAL CORRECTION & DETENTION	\$	250.00	\$	-
	PUBLIC WORKS ADMINISTRATION				
100-4041100-1140	COMPENSATION	\$	69,950.00	\$	71,300.00
100-4041100-2100	MATCHING FICA EXPENSE (7.65 %)	\$	5,350.00	\$	5,455.00
100-4041100-3110	MEDICAL EXAMS	\$	1,000.00	\$	1,000.00
100-4041100-3310	VEHICLE REP & MAINTENANCE	\$	11,000.00	\$	7,000.00
100-4041100-5120	PROPANE	\$	1,500.00	\$	2,000.00
100-4041100-5230	TELECOMMUNICATIONS	\$	5,000.00	\$	5,000.00
100-4041100-5415	COPIER LEASE	\$	2,665.00	\$	2,700.00
100-4041100-5540	TRAINING	\$	3,500.00	\$	1,500.00
100-4041100-6001	OFFICE SUPPLIES	\$	500.00	\$	500.00
	TOTAL PUBLI WKS ADMINISTRATION	\$	100,465.00	\$	96,455.00

	HWYS, STS BRIDGES & SDWLKS			
100-4041200-1183	COMPENSATION	\$	157,000.00	\$ 165,000.00
100-4041200-2100	MATCHING FICA EXPENSE (7.65 %)	\$	12,000.00	\$ 12,450.00
100-4041200-3310	EQUIPMENT MAINTENANCE	\$	12,000.00	\$ 12,000.00
100-4041200-3315	SIDEWALK MAINTENANCE	\$	15,000.00	\$ 15,000.00
100-4041200-3316	STREET SIGN MAINTENANCE	\$	-	\$ 1,000.00
100-4041200-5425	NORFOLK/SOUTHERN R-O-W'S	\$	1,100.00	\$ 1,100.00
100-4041200-6007	MATERIALS & SUPPLIES	\$	4,000.00	\$ 4,000.00
100-4041200-6008	GASOLINE & OIL	\$	20,000.00	\$ 20,600.00
100-4041200-6011	UNIFORMS	\$	6,000.00	\$ 5,000.00
	TOTAL HWYS, STS BRIDGES & SWLKS	\$	227,100.00	\$ 236,150.00
	VDOT STREET MAINTENANCE			
100-4041250-3300	VDOT STREET MAINTENANCE	\$	411,618.00	\$ 473,615.00
100-4041250-3310	EQUIPMENT MAINTENANCE (VDOT)	\$	10,000.00	\$ 10,000.00
100-4041250-8801	EQUIPMENT PURCHASE (VDOT)	\$	137,000.00	\$ 75,000.00
	TOTAL VDOT STREET MAINTENANCE	\$	558,618.00	\$ 558,615.00
				\$ -
	STREET LIGHTS			
100-4041320-5110	ELECTRICITY	\$	66,500.00	\$ 69,200.00
	TOTAL STREET LIGHTS	\$	66,500.00	\$ 69,200.00
	SNOW REMOVAL			
100-4041330-3220	CONTRACTUAL SERVICES	\$	16,000.00	\$ 16,000.00
100-4041330-6007	MATERIALS & SUPPLIES	\$	2,000.00	\$ 2,000.00
	TOTAL SNOW REMOVAL	\$	18,000.00	\$ 18,000.00
	PARKING METERS & LOTS			
100-4041340-6007	MATERIALS & SUPPLIES	\$	1,500.00	\$ 1,500.00
	TOTAL PARKING METERS & LOTS	\$	1,500.00	\$ 1,500.00
	STREET & ROAD CLEANING			
100-4042200-6007	MATERIALS & SUPPLIES	\$	500.00	\$ 1,000.00
	TOTAL STREET & ROAD CLEANING	\$	500.00	\$ 1,000.00
	REFUSE COLLECTION			
100-4042300-3220	CONTRACTUAL SERVICES	\$	203,000.00	\$ 211,000.00
100-4042300-6225	RECYCLING SERVICES	\$	75,000.00	\$ 77,000.00
	TOTAL REFUSE COLLECTION	\$	278,000.00	\$ 288,000.00
	REFUSE DISPOSAL			
100-4042400-3800	FCO LANDFILL CHARGES	\$	40,000.00	\$ 40,000.00
	TOTAL REFUSE DISPOSAL	\$	40,000.00	\$ 40,000.00
	GENERAL PROPERTIES			
100-4043200-3310	REPAIR & MAINTENANCE	\$	15,000.00	\$ 15,000.00
100-4043200-3325	HERMITAGE SWPOND MAINT	\$	4,100.00	\$ 4,100.00
100-4043200-6007	MATERIALS & SUPPLIES	\$	500.00	\$ 500.00
100-4043200-6017	HOLIDAY DÉCORATION	\$	500.00	\$ 500.00
	TOTAL GENERAL PROPERTIES	\$	20,100.00	\$ 20,100.00
	BUILDING SERVICES			
100-4064200-3150	PROFESSIONAL SERVICES	\$	2,500.00	\$ 2,600.00

100-4064200-3200	CONTRACTURAL SERVICES	\$	19,500.00	\$	20,000.00
100-4064200-5110	ELECTRICITY	\$	19,800.00	\$	20,600.00
100-4064200-5120	NATURAL GAS/HEAT	\$	3,200.00	\$	3,350.00
100-4064200-5130	WATER/SEWER	\$	800.00	\$	820.00
100-4064200-5230	TELECOMMUNICATIONS	\$	7,800.00	\$	9,000.00
100-4064200-5304	LIABILITY INSURANCE	\$	2,500.00	\$	2,700.00
100-4064200-7113	IN KIND COSTS	\$	13,000.00	\$	13,000.00
100-4064200-7115	SHARED MAINTENANCE	\$	19,000.00	\$	19,000.00
100-4064200-8411	CAPITAL ASSET RESERVES	\$	7,000.00	\$	7,000.00
	TOTAL BUILDING SERVICES	\$	95,100.00	\$	98,070.00
	PARKS & RECREATION				
100-4071310-3160	CONTRACTURAL SER/JN BLUE	\$	1,000.00	\$	1,000.00
100-4071310-5699	CONTRIBUTION/CCP&R	\$	-	\$	-
100-4071310-6017	HOLIDAY DECORATIONS ROSE HILL PARK	\$	1,500.00	\$	1,500.00
100-4071310-6018	ROSE HILL PARK MAINTENANCE	\$	5,000.00	\$	5,000.00
	TOTAL PARKS & RECREATION	\$	7,500.00	\$	7,500.00
	PLANNING				
100-4081100-1155	COMPENSATION	\$	93,350.00	\$	95,975.00
100-4081100-2100	MATCHING FICA EXPENSE (7.65 %)	\$	7,150.00	\$	7,345.00
100-4081100-3190	PROFESSIONAL SERVICES	\$	5,000.00	\$	3,000.00
100-4081100-3195	PREPAID APPLICATION FEES	\$	-	\$	-
100-4081100-3500	PRINTING	\$	200.00	\$	200.00
100-4081100-5510	MILEAGE	\$	100.00	\$	100.00
100-4081100-5540	TRAINING	\$	500.00	\$	200.00
100-4081100-5810	DUES	\$	500.00	\$	500.00
100-4081100-6001	OFFICE EQUIPMENT	\$	100.00	\$	100.00
100-4081100-6012	PUBLICATIONS	\$	100.00	\$	-
	TOTAL PLANNING	\$	107,000.00	\$	107,420.00
	BOARD OF ZONING APPEALS				
100-4081400-1110	EXPENSE COMPENSATION	\$	500.00	\$	500.00
100-4081400-5540	TRAINING	\$	500.00	\$	500.00
	TOTAL BOARD OF ZONING APPEALS	\$	1,000.00	\$	1,000.00
	ECONOMIC DEVELOPMENT				
100-4081500-3400	WEB SITE REDESIGN	\$	-	\$	-
100-4081500-3450	SE COLLECTOR EVALUATION	\$	-	\$	-
100-4081500-3650	MARKETING & BRANDING	\$	-	\$	-
100-4081500-5693	ARTS FUNDING MATCH	\$	4,500.00	\$	4,500.00
100-4081500-5695	TOWN/COUNTY ECONOMIC DEV	\$	17,500.00	\$	17,500.00
100-4081500-5696	ECONOMIC DEVELOPMENT RESERVE	\$	-	\$	2,500.00
100-4081500-5698	GRANT AND MATCHING FUNDS	\$	-	\$	-
100-4081500-5699	DBI/ECO DEV PROF SERVICES	\$	4,000.00	\$	-
100-4081500-5700	ANNEXATION AREA PROF SERVICES	\$	25,000.00	\$	10,000.00
	TOTAL ECONOMIC DEVELOPMENT	\$	51,000.00	\$	34,500.00
	PLANNING COMMISSION				
100-4081600-1111	EXPENSE COMPENSATION	\$	5,000.00	\$	5,000.00
100-4081600-5540	TRAINING	\$	1,000.00	\$	1,000.00
100-4081600-5810	DUES	\$	250.00	\$	250.00
	TOTAL PLANNING COMMISSION	\$	6,250.00	\$	6,250.00
	B'VILLE AREA DEV AUTHORITY				
100-4081700-1111	EXPENSE COMPENSATION	\$	2,500.00	\$	2,500.00

100-4081700-1111	MATCHING FICA EXPENSE (7.65 %)	\$	-	\$	-
100-4081700-5540	TRAINING	\$	250.00	\$	250.00
100-4081700-5810	DUES	\$	125.00	\$	-
	TOTAL B'VILLE AREA DEV AUTHORITY	\$	2,875.00	\$	2,750.00
	ARCHITECTURAL REVIEW BOARD				
100-4081800-5540	TRAINING	\$	500.00	\$	500.00
	TOTAL ARCHITECTURAL REVIEW BD	\$	500.00	\$	500.00
	TREE BOARD				
100-4081900-5800	MISCELLANEOUS	\$	500.00	\$	500.00
	TOTAL TREE BOARD	\$	500.00	\$	500.00
	CAPITAL OUTLAY				
100-4094200-8207	SOFTWARE UPGRADES	\$	-	\$	-
100-4094200-8225	COMPUTER REPLACEMENT/UPGRADES	\$	7,500.00	\$	7,500.00
100-4094200-8230	REPAIRS TO 23 E MAIN-LS RESERVE	\$	44,235.00	\$	-
100-4094200-8231	PATROL VEHICLE	\$	52,600.00	\$	56,000.00
100-4094200-8338	SNOW PLOW	\$	-	\$	13,000.00
100-4094200-8340	MOWER	\$	-	\$	-
100-4094200-8345	PW TON DUMP	\$	-	\$	27,500.00
100-4094200-8411	CAPITAL RESERVE	\$	-	\$	10,462.00
100-4094200-8602	3/4 TON TRUCK (PW)	\$	-	\$	12,000.00
100-4094200-8603	PD SERVER REPLACEMENT RESERVE	\$	6,000.00	\$	-
100-4094200-8702	WAYFINDING SIGNS RESERVE	\$	5,000.00	\$	5,000.00
100-4094200-8803	PUBLIC WORKS IMPROVEMENTS	\$	-	\$	-
100-4094200-8910	PD BODY CAMERA REPLACEMENTS	\$	-	\$	-
100-4094200-8911	VIRGINIA AVENUE	\$	55,000.00	\$	-
100-4094200-8912	POLICE MDT REPLACEMENT	\$	-	\$	-
100-4094200-8913	POLICE AV EQUIPMENT	\$	-	\$	-
100-4094200-8914	RIXEY MOOR PLAYGROUND IMP	\$	-	\$	-
100-4094200-8915	HOGAN'S ALLEY IMPROVE RESERVE	\$	1,000.00	\$	-
100-4094200-8919	STORM WATER MITIGATION	\$	-	\$	-
100-4094200-8950	FOUR WHEELER	\$	-	\$	-
100-4094200-8951	PD RADIO REPLACEMENT RESERVE	\$	20,000.00	\$	55,000.00
100-4094200-8955	TOWN RUN PER	\$	-	\$	-
100-4094200-8956	ASHBY/ARCHER PER	\$	-	\$	-
100-4094200-8958	ENDERS PROFFER RESERVES	\$	-	\$	-
100-4094200-8959	HOLIDAY DECOR REPLACEMENT	\$	10,000.00	\$	-
100-4094200-9002	JACKSON DR SWMA/DORSEY ST STMWATER	\$	-	\$	25,000.00
100-4094200-9003	BACKHOE (PW)	\$	-	\$	22,500.00
100-4094200-9004	MOSBY BOULEVARD SIDEWALK	\$	-	\$	25,000.00
	TOTAL CAPITAL OUTLAY	\$	201,335.00	\$	258,962.00
	CONTINGENCY				
100-4094300-5800	CONTINGENCY (3.00%)	\$	110,300.00	\$	110,544.00
	TOTAL CONTINGENCY	\$	110,300.00	\$	110,544.00
	DEBT SERVICE				
100-4095000-9110	RDA PRINCIPAL	\$	40,988.00	\$	43,200.00
100-4095000-9120	RDA INTEREST	\$	80,488.00	\$	77,800.00
100-4095000-9130	RDA DEBT SER RESERVE	\$	-	\$	-
	TOTAL DEBT SERVICE	\$	121,476.00	\$	121,000.00

TOTAL GENERAL FUND OPERATIONAL	\$	3,540,309.00	\$	3,682,076.00
TOTAL GENERAL FUND CONTINGENCY	\$	110,300.00	\$	110,544.00
TOTAL GENERAL FUND CAP OUTLAY	\$	201,335.00	\$	258,962.00
TOTAL GENERAL FUND DEBT SERVICE	\$	121,476.00	\$	121,000.00

TOTAL GENERAL FUND EXPENSES \$ 3,973,420.00 \$ 4,172,582.00

WATER FUND

PERSONNEL

501-4012220-1140	COMPENSATION	\$	39,350.00	\$	40,600.00
501-4012220-2100	MATCHING FICA EXPENSE (7.65 %)	\$	3,010.00	\$	3,110.00
501-4012220-2210	VRS	\$	32,810.00	\$	33,262.00
501-4012220-2220	VMLIP - STD	\$	154.00	\$	158.00
501-4012220-2230	VMLIP - LTD	\$	1,415.00	\$	1,438.00
501-4012220-2300	HEALTH INSURANCE	\$	47,910.00	\$	48,700.00
501-4012220-2400	LIFE INSURANCE	\$	3,510.00	\$	3,560.00
501-4012220-2600	UNEMPLOYMENT INSURANCE	\$	46.00	\$	139.00
501-4012220-2700	WORKER'S COMPENSATION	\$	8,500.00	\$	14,000.00
501-4012220-3170	MISS UTILITY	\$	1,500.00	\$	1,500.00
501-4012220-3320	HANDHELD MAINT	\$	4,500.00	\$	4,600.00
501-4012220-5210	POSTAGE	\$	4,400.00	\$	4,400.00
501-4012220-5540	TRAINING	\$	2,500.00	\$	2,500.00
501-4012220-6001	OFFICE SUPPLIES	\$	500.00	\$	500.00
	TOTAL PERSONNEL	\$	150,105.00	\$	158,467.00

TREATMENT

501-4012222-1147	COMPENSATION	\$	147,122.00	\$	160,100.00
501-4012222-2100	MATCHING FICA EXPENSE (7.65 %)	\$	11,255.00	\$	11,551.00
501-4012222-2830	CERTIFICATION FEES	\$	900.00	\$	600.00
501-4012222-2840	STATE CONNECTION FEES	\$	5,400.00	\$	5,700.00
501-4012222-2850	LAB TESTING	\$	8,500.00	\$	9,000.00
501-4012222-3110	MEDICAL EXAMS	\$	200.00	\$	200.00
501-4012222-3145	PROFESSIONAL SERVICES	\$	15,000.00	\$	10,000.00
501-4012222-3146	UTILITY RATE STUDY	\$	-	\$	-
501-4012222-3210	SLUDGE REMOVAL	\$	30,000.00	\$	27,000.00
501-4012222-3220	CLEAN RIVER INTAKE	\$	2,000.00	\$	2,000.00
501-4012222-3310	REPAIR & MAINTENANCE	\$	60,000.00	\$	60,000.00
501-4012222-3510	CONSUMER CONFIDENCE RPT	\$	500.00	\$	1,000.00
501-4012222-5110	ELECTRICITY	\$	61,500.00	\$	65,000.00
501-4012222-5120	PROPANE HEAT WTP	\$	3,500.00	\$	3,600.00
501-4012222-5230	TELECOMMUNICATIONS	\$	3,800.00	\$	4,200.00
501-4012222-5415	COPIER LEASE	\$	670.00	\$	700.00
501-4012222-5540	TRAINING	\$	2,500.00	\$	3,500.00
501-4012222-5690	DISCHARGE PERMIT RENEWAL	\$	650.00	\$	700.00
501-4012222-5810	DUES	\$	1,100.00	\$	1,000.00
501-4012222-6001	OFFICE SUPPLIES	\$	1,000.00	\$	1,000.00
501-4012222-6004	LAB SUPPLIES	\$	4,500.00	\$	4,500.00
501-4012222-6005	JANITORIAL SUPPLIES	\$	1,000.00	\$	1,000.00
501-4012222-6008	GASOLINE & OIL	\$	6,200.00	\$	6,200.00
501-4012222-6011	UNIFORMS	\$	1,300.00	\$	1,000.00
501-4012222-6014	TOOLS	\$	500.00	\$	500.00
501-4012222-6019	SAFETY EQUIPMENT	\$	2,000.00	\$	2,000.00
501-4012222-6020	PERSONAL EQUIPMENT	\$	600.00	\$	600.00
501-4012222-6025	CHEMICALS	\$	40,000.00	\$	40,000.00
	TOTAL TREATMENT	\$	411,697.00	\$	422,651.00

DISTRIBUTION & MAINTENANCE			
501-4012224-1183	COMPENSATION	\$ 138,300.00	\$ 139,000.00
501-4012224-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 10,600.00	\$ 10,600.00
501-4012224-3330	LINE REPAIR & MAINTENANCE	\$ 50,000.00	\$ 50,000.00
501-4012224-6007	MATERIALS & SUPPLIES	\$ 30,000.00	\$ 30,000.00
501-4012224-6019	SAFETY EQUIPMENT	\$ 700.00	\$ 700.00
501-4012224-6030	NEW SERVICE SUPPLIES	\$ 9,000.00	\$ 9,000.00
501-4012224-9008	STORAGE TANK MAINTENANCE CONTRACT	\$ -	\$ 8,466.00
	TOTAL DISTRIBUTION & MAINT	\$ 238,600.00	\$ 247,766.00
CAPITAL OUTLAY			
501-4094200-8102	TANK REPAIR & MAINT	\$ 85,000.00	\$ 155,700.00
501-4094200-8105	PICKUP (1/2)	\$ 15,000.00	\$ -
501-4094200-8118	WTP BACKWASH LAGOON REPAIR	\$ -	\$ 86,000.00
501-4094200-8167	SCADA		
501-4094200-8211	CAPITAL RESERVES	\$ 208,488.00	\$ 149,674.48
501-4094200-8225	COMPUTER UPGRADE	\$ -	\$ 2,000.00
501-4094200-8340	MOWER (1/2)		
501-4094200-8345	PW ONE TON DUMP TRUCK		\$ 13,500.00
501-4094200-8360	HANDHELD METER READER	\$ 7,000.00	\$ -
501-4094200-8361	WATER DIST SYSTEM UPGRADES	\$ 115,000.00	\$ 400,000.00
501-4094200-8550	EQUIPMENT REPAIR RESERVE	\$ 25,000.00	\$ -
501-4094200-8602	3/4 TON TRUCK	\$ -	\$ 12,000.00
501-4094200-8605	WTP BUILDING MAINTENANCE		
501-4094200-8704	WATER FINISH PUMP REPLACEMENT		
501-4094200-8953	UTILITY PLANT GATES		
501-4094200-8954	STORAGE BUILDING	\$ -	\$ -
501-4094200-8957	WTP EVALUATION & REPAIRS	\$ -	\$ -
501-4094200-8958	WATER METER REPLACEMENT	\$ 165,000.00	\$ 165,000.00
501-4094200-9003	BACKHOE(PW)	\$ -	\$ 22,500.00
501-4094200-9004	SECURITY IMPROVEMENTS	\$ -	\$ 10,500.00
501-4094200-9005	WATER RIVER PUMP DISCONNECT ELIMINATION	\$ -	\$ 7,000.00
	TOTAL CAPITAL OUTLAY	\$ 620,488.00	\$ 1,023,874.48
CONTINGENCY			
501-4094300-5800	CONTINGENCY (3.00%)	\$ 24,735.00	\$ 24,866.52
	TOTAL CONTINGENCY	\$ 24,735.00	\$ 24,866.52
	TOTAL WATER FUND OPERATIONAL	\$ 800,402.00	\$ 828,884.00
	TOTAL WATER FUND CONTINGENCY	\$ 24,735.00	\$ 24,866.52
	TOTAL WATER FUND CAP OUTLAY	\$ 620,488.00	\$ 1,023,874.48
TOTAL WATER FUND EXPENSES		\$ 1,445,625.00	\$ 1,877,625.00

SEWER FUND

PERSONNEL

502-4012220-1114	COMPENSATION	\$ 39,350.00	\$ 40,560.00
502-4012220-2100	MATCHING FICA EXPENSE (7.65 %)	\$ 3,010.00	\$ 3,105.00
502-4012220-2210	VRS	\$ 51,785.00	\$ 52,500.00
502-4012220-2220	VMLIP - STD	\$ 243.00	\$ 250.00
502-4012220-2230	VMLIP - LTD	\$ 2,236.00	\$ 2,270.00
502-4012220-2300	HEALTH INSURANCE	\$ 75,608.00	\$ 76,860.00
502-4012220-2400	LIFE INSURANCE	\$ 5,545.00	\$ 5,620.00
502-4012220-2600	UNEMPLOYMENT INSURANCE	\$ 71.00	\$ 220.00
502-4012220-2700	WORKER'S COMPENSATION	\$ 13,500.00	\$ 22,000.00

502-4012220-3320	HANDHELD MAINT	\$	2,800.00	\$	3,000.00
502-4012220-5210	POSTAGE	\$	7,500.00	\$	7,500.00
502-4012220-6001	OFFICE SUPPLIES	\$	1,000.00	\$	1,000.00
	TOTAL PERSONNEL	\$	202,648.00	\$	214,885.00
	TREATMENT				
502-4012222-1147	COMPENSATION	\$	323,614.00	\$	363,445.00
502-4012222-2100	MATCHING FICA EXPENSE (7.65 %)	\$	24,756.00	\$	27,800.00
502-4012222-2830	CERTIFICATION FBES	\$	500.00	\$	900.00
502-4012222-2850	LAB TESTING	\$	36,000.00	\$	36,000.00
502-4012222-3145	PROFESSIONAL SERVICES	\$	18,000.00	\$	18,000.00
502-4012222-3146	UTILITY RATE STUDY	\$	-	\$	-
502-4012222-3210	LANDFILL-SOLIDS DISPOSAL	\$	48,000.00	\$	65,000.00
502-4012222-3310	REPAIR & MAINTENANCE	\$	110,000.00	\$	120,000.00
502-4012222-5110	ELECTRICITY	\$	135,000.00	\$	140,000.00
502-4012222-5230	TELECOMMUNICATIONS	\$	6,000.00	\$	6,500.00
502-4012222-5415	COPIER LEASE	\$	3,900.00	\$	3,900.00
502-4012222-5540	TRAINING	\$	3,000.00	\$	3,000.00
502-4012222-5690	Discharge Permit Renewal	\$	3,000.00	\$	3,500.00
502-4012222-5810	DUES	\$	500.00	\$	600.00
502-4012222-6001	OFFICE SUPPLIES	\$	1,000.00	\$	1,200.00
502-4012222-6004	LAB SUPPLIES	\$	5,400.00	\$	5,800.00
502-4012222-6005	JANITORIAL SUPPLIES	\$	1,200.00	\$	1,500.00
502-4012222-6008	GASOLINE & DIESEL FUEL	\$	9,000.00	\$	9,300.00
502-4012222-6011	UNIFORMS	\$	1,300.00	\$	1,000.00
502-4012222-6014	TOOLS	\$	1,500.00	\$	1,500.00
502-4012222-6019	SAFETY EQUIPMENT	\$	2,000.00	\$	2,500.00
502-4012222-6020	PERSONAL EQUIPMENT	\$	800.00	\$	800.00
502-4012222-6025	CHEMICALS	\$	90,000.00	\$	80,000.00
	TOTAL TREATMENT	\$	824,470.00	\$	892,245.00
	DISTRIBUTION & MAINTENANCE				
502-4012224-1183	COMPENSATION	\$	138,250.00	\$	139,000.00
502-4012224-1183	MATCHING FICA EXPENSE (7.65 %)	\$	10,575.00	\$	10,600.00
502-4012224-3310	EQUIPMENT MAINTENANCE	\$	5,000.00	\$	5,000.00
502-4012224-3330	REPAIR & MAINTENANCE	\$	10,000.00	\$	10,000.00
502-4012224-6007	MATERIALS & SUPPLIES	\$	2,500.00	\$	2,500.00
502-4012224-6019	SAFETY EQUIPMENT	\$	-	\$	500.00
502-4012224-6030	NEW SERVICE SUPPLIES	\$	-	\$	-
	TOTAL DISTRIBUTION & MAINT	\$	166,325.00	\$	167,600.00
	CAPITAL PROJECTS				
	TOTAL CAPITAL PROJECTS	\$	-	\$	-
	CAPITAL OUTLAY				
502-4094200-8105	PICKUP (1/2)	\$	15,000.00	\$	-
502-4094200-8110	WWTP UPGRADES				
502-4094200-8123	SCADA				
502-4094200-8225	COMPUTER UPGRADE	\$	-	\$	2,000.00
502-4094200-8134	Sewer Collection Sys Rehab	\$	115,000.00	\$	100,000.00
502-4094200-8340	MOWER (1/2)				
502-4094200-8345	PW ONE TON DUMP TRUCK			\$	13,500.00
502-4094200-8360	HANDHELD METER READER	\$	7,000.00	\$	-
502-4094200-8411	CAPITAL RESERVES	\$	243,477.00	\$	115,153.10
502-4094200-8540	MEMBRANE REPLACEMENT RESERVE	\$	10,000.00	\$	-
502-4094200-8545	MEMBRANE PRE-PURCHASE	\$	90,000.00	\$	110,000.00
502-4094200-8550	EQUIPMENT REPAIR RESERVE	\$	25,000.00	\$	-
502-4094200-8602	3/4 TON PICKUP (1/2 VDOT)	\$	-	\$	12,000.00

502-4094200-8604	STORM SEWER CAMERA (1/2 VDOT)				
502-4094200-8952	COMMUNICATION NET FOR UTILITIES				
502-4094200-8953	UTILITY PLANT GATES				
502-4094200-8954	INVENTORY LOCKUP FENCING	\$	-	\$	-
502-4094200-8955	WWTP BUILDING REPAIR/JOINT RESERVE	\$	7,000.00	\$	-
502-4094200-9003	BACKHOE (PW)	\$	-	\$	22,500.00
502-4094220-9004	SECURITY IMPROVEMENTS	\$	-	\$	10,500.00
502-4094200-9006	WWTP BLOWERT DISCONNECTS	\$	-	\$	8,000.00
502-4094200-9007	WWTP PERMEATE PUMPS	\$	-	\$	35,000.00
	TOTAL CAPITAL OUTLAY	\$	512,477.00	\$	428,653.10
	CONTINGENCY				
502-4094300-5800	CONTINGENCY (3.00%)	\$	36,580.00	\$	38,241.90
	TOTAL CONTINGENCY	\$	36,580.00	\$	38,241.90
	DEBT SERVICE				
502-4095000-9118	VRA PRINCIPAL	\$	470,000.00	\$	470,000.00
	TOTAL DEBT SERVICE	\$	470,000.00	\$	470,000.00
	TOTAL SEWER FUND OPERATIONAL	\$	1,193,443.00	\$	1,274,730.00
	TOTAL SEWER FUND CONTINGENCY	\$	36,580.00	\$	38,241.90
	TOTAL SEWER FUND CAP OUTLAY	\$	512,477.00	\$	428,653.10
	TOTAL SEWER FUND DEBT SERVICE	\$	470,000.00	\$	470,000.00
	TOTAL SEWER FUND EXPENSES	\$	2,212,500.00	\$	2,211,625.00
	TOTAL EXPENSES ALL FUNDS	\$	7,631,545.00	\$	8,261,832.00

History

After the passage of the ARPA, the Town Council directed staff to develop a preliminary framework for expenditure of grant funds provided to the Town in accordance with the legislation.

The Town Council reviewed the matter in detail at a work session on May 5, 2021. The Council made no determination regarding the disposition of the funds because many questions about project eligibility remained unanswered.

Additional guidance has been received and staff is reviewing this matter in detail. It also appears that the allocation for which the Town is eligible has increased to \$4,534,985 (\$562,504 more than originally reported).

Staff intends to provide the Council with a revised draft framework for expenditure of the funds within the next two weeks. If possible, it would be helpful if the Council can adopt a framework in July.

Requested Action

Staff requests that the Council provide any additional guidance or direction it has in this matter. This additional guidance or direction can be incorporated into discussions about finalizing a framework for expenditure of ARPA funds.

Staff recommends consideration of the following changes in the draft framework:

- increasing the maximum grant available for accessibility improvements, façade improvements, etc. (\$7,500 to \$12,000) and increasing the total amount of funds dedicated to this purpose (\$120,000 to \$240,000),
- establishing a list of non-profits that would receive funding and eliminate a selection process in the future,
- increasing funds available for infrastructure/capital projects.

Attachments

- American Rescue Plan Act of 2021 memorandum dated March 29, 2021
- Revised statement of non-entitlement units of local government allocations
- Guidance on Distribution of Funds to non-entitlement units of local government
- Non-entitlement unit of local government award terms and conditions
- Non-entitlement unit of local government definitional and data methodology
- Coronavirus State and Local Fiscal Recovery Funds Frequently Asked Questions

Memorandum

Date: March 29, 2021

To: Town Council

From: Keith R. Dalton, Town Manager

Cc: Department Heads
Finance Clerk
Utilities Clerk

Subject: American Rescue Plan Act of 2021

OVERVIEW

The Town is slated to receive \$3,972,481 as a result of the passage of the American Rescue Plan Act of 2021 (ARPA).

Details about how the money can be spent, procurement requirements, and reporting requirements are scant. Accordingly, any approach endorsed by the Council may have to change once the Town receives detailed instructions. The Council must determine whether proposed expenditures meet federal requirements.

At this point, this is what we know about the ARPA:

- The Town is to receive 50% of the funds (\$1,986,240.50) within 60 days.
- The remaining funds (\$1,986,240.50) may be requested a year from now.
- Funds must be spent before December 31, 2024.
- The funds in question may be used to:
 - o respond to the pandemic and its negative effects in order to assist households, businesses, and non-profits,
 - o provide for premium or hazard pay for employees,
 - o address reduced government revenues, and
 - o make necessary investments in water, sewer, and broadband infrastructure.

Staff recommends the following approach be adopted/implemented by the Town Council:

PHASING OF EXPENDITURES

The Town will expend ARPA funds in the following fiscal years:

- FY21
- FY22
- FY23
- FY24
- FY25 (first half)

PROPOSED PROJECTS/EXPENDITURES

Aid to households and businesses

- Pay balance on delinquent water and sewer accounts.

This action would pay for all water and sewer account delinquencies that are 60 days or more in arrears as of April 1, 2021.

Note: As a part of this action, it should be established that no additional grant funds will be allocated for this purpose.

- Credit \$37.37 to each water and sewer account for six months.

This action would cover the cost of admin. fees (based on current rate) and 1,000 gallons of water and sewer usage.

Estimated cost of these actions:

- Payment of delinquent accounts	\$ 12,000
- Water and sewer account credits	\$ 390,000
- Total	\$ 402,000

Fiscal year(s)	FY21 & FY22
Percentage of total federal grant	10.1%
Funds used from first payment	\$ 402,000
Funds used from second payment	\$ 0
Funds remaining from first payment	\$1,584,240.50
Funds remaining from second payment	\$1,986,240.50

Implementation

- Qualified account delinquencies would be paid within 5 days of receipt of first payment from federal government.
- Credits would be applied to all qualifying accounts after meters are read in a given billing period. It is expected that qualifying accounts would be credited during the weeks of:

April 18, 2021

May 19, 2021

June 20, 2021

July 18, 2021

August 15, 2021

September 19, 2021

Economic Development

- Complete wayfinding sign project.

This action would provide funding for all phases of a wayfinding sign package and provide for installation of new signage at Rose Hill Park, John Rixey Moore Parking Lot, and Crow Street Parking Lot.

- Establish a program to provide reimbursement funds for qualifying improvements to eligible commercial buildings.

This action would provide for individual reimbursement grants to improve commercial properties in certain areas of Town. Individual grants would not exceed \$7,500. Work will be completed in 2021, 2022, and 2023.

Qualifying improvements would fall into the following categories:

- o accessibility improvements (with primary focus on providing access into the businesses)
- o sign replacement or refurbishment
- o building façade improvement
- o site cleaning and beautification

Reimbursement grants would be limited to businesses, excluding home occupations, fronting on Main, Buckmarsh, Crow, and Church Streets.

Estimated cost of these actions	
- Wayfinding signage	\$ 120,000
- Facades, signs, accessibility	\$ 120,000
- Total	\$ 240,000

Fiscal year(s)	FY22, FY23, & FY24
Percentage of total federal grant	6%
Funds used from first payment	\$ 120,000
Funds used from second payment	\$ 120,000
Funds remaining from first payment	\$1,464,240.50
Funds remaining from second payment	\$1,866,240.50

Implementation:

- Council and staff would work with a consultant and VDOT officials to complete all three phases of the wayfinding project by January 1, 2023.
- Accessibility, sign, and façade improvement grants would be available until funds are depleted with the first grant cycle following this schedule:
 - o May 20, 2021 Announcement of grant cycle opening
 - o July 1, 2021 Applications for first cycle due*
 - o August 1, 2021 Notices of grant award*
 - o July 1, 2022 Deadline for work to be completed and reimbursement requests submitted

* The Town Council's Community Development Committee would review applications and award grants.

Subsequent cycles would be announced if funds remain unspent or unencumbered and the Council determines that there is interest in additional grants.

Hazard Pay

- Provide hazard pay for Town employees

This action would provide qualifying employees hazard pay of \$400 per month for the period of time from March 2020 to April 2021.

To qualify for this payment employees must:

- be full-time regular employees or introductory employees,

- be in the employ of the Town as of April 13, 2021,
- have worked at least fourteen days in a month for which leave is paid, and
- have not received other hazard pay for the same period of time.

Estimated cost of this action \$ 230,000

Fiscal year(s)	FY21
Percentage of total federal grant	5.8%
Funds used from first payment	\$ 230,000
Funds used from second payment	\$ 0
Funds remaining from first payment	\$1,234,240.50
Funds remaining from second payment	\$1,866,240.50

Implementation

- Finance Clerk would review payroll and make a preliminary determination of who qualifies for hazard pay and the total cost of payments.
- Town Manager would review Finance Clerk's preliminary determination and approve payments.
- Payments would likely be made in June.

Grants for non-profits

Grants would be provided to non-profits serving the citizens of Berryville.

This action provides grants to non-profits serving Berryville. These grants would be provided in two cycles over two years (\$60,000 available in each cycle).

It is recommended that John H. Enders Volunteer Fire Department Company and Rescue Squad receive a substantial grant each year and that the remaining funds that are available each year be provided to qualified organizations through a grant application process.

Estimated cost of these actions \$ 120,000

Fiscal year(s)	FY22 & FY23
Percentage of total federal grant	3%

Funds used from first payment	\$ 60,000
Funds used from second payment	\$ 60,000
Funds remaining from first payment	\$1,174,240.50
Funds remaining from second payment	\$1,806,240.50

Implementation

- Non-profit grants would be available in two cycles. The first grant cycle would follow this schedule:
 - o July 15, 2021 Announcement of grant cycle opening
 - o August 15, 2021 Applications for first cycle due**
 - o Sept. 30, 2021 Notices of grant award**
 - o Oct. 15, 2021 Disbursement of funds
 - o July 1, 2022 Deadline for funds to have been utilized and report submitted
- ** The Town Council's Budget and Finance Committee would review applications and award grants.

The schedule for the second grant cycle will be announced at a later date.

General Fund Revenue Replacement

Revenue deficits that occurred during the pandemic would be replaced.

This action would provide for replacing lost revenues from FY20 and FY21.

In FY 2020 the Town received less in revenues than expected in the following categories:

Fines and forfeitures	\$19,409
Lodging tax	\$ 3,753
Total	\$23,162

It is expected that FY21 revenues will also have been affected by COVID-19.

The revenue deficit from FY20 would be paid to the Town's general fund. The timing of this transfer would be determined after consultation with the Town's auditor.

Once the FY21 audit is received the revenue loss for that year would be identified and paid to the general fund in a manner recommended by the Town's auditor.

Estimated cost of these payments

For FY2020	\$23,162
For FY2021	\$40,000
Total	\$63,162

Phase(s)	FY21 & FY22
Percentage of total federal grant	1.6%
Funds used from first payment	\$ 63,162
Funds used from second payment	\$ 0
Funds remaining from first payment	\$1,111,078.50
Funds remaining from second payment	\$1,806,240.50

The remaining ARPA Funds, \$2,917,319, or 73.4% of the federal grant, would be used for necessary improvements to the Town's water and sewer infrastructure. Further, funds not expended as enumerated in categories above will, unless otherwise encumbered by the Town Council, be utilized for water and sewer infrastructure projects.

Preliminary List of Water and Sewer Infrastructure Projects and Covid Response

The following is a list of projects that could be considered for funding during FY21, FY22, FY23, FY24, and FY25.

- Purchase decontamination equipment/supplies for vehicles and facilities (health of public and Town Personnel).
- Purchase PPE, cleaners, materials/supplies to improve conditions when employees must stay at work for extended periods of time to cover shifts, etc. (health of public and Town personnel).
- Improve security at water and sewer facilities: Includes cameras and access controls such as gates (security of critical infrastructure and safeguarding public health).
- Conduct an I&I study in sewer collection system (identify deficiencies in system).
- Conduct a leak evaluation on the water distribution system (identify deficiencies in system).
- Sump pump/sewer system connection abatement:

- Town announces that strict enforcement of the prohibition on the connection of sump pumps (that receive ground water, flow from drains, flow from downspouts, etc.) to the sanitary sewer collection system would begin in March 2023.
- Town announces a program that will provide reimbursement of costs to remove sump pumps from the sanitary system.
 - Permit issued from Town at no cost.
 - Applicant must acquire any required County permits and inspections.
 - Town will inspect work.
 - Reimbursement of up to \$600 within 30 days of satisfactory inspection.
- Beginning in March 2023 the Town utilizes funds to detect sump pump connections and enforce to compel compliance.
- Replace water meter retrofitters/meter setters (improve distribution system security).
- Osborne Street, North Church, Bundy Street water and sewer improvements (improve fire protection and improve systems).
- Josephine Street water improvements (improve fire protection, reduce leaks, and improve system).
- Rockcrott water improvements (improve fire protection and improve system).
- Bel Voi water improvements, including water improvements through True Value property (improve fire protection and improve system).
- Battletown Drive water improvements (improve fire protection and improve system).
- Computer upgrades at Business Office, Water Treatment Plant, and Wastewater Treatment Plant (security, efficiency, and dependability).
- Communications upgrades in water and sewer systems (security and ability to monitor).
- Water meter replacement (efficiency of system / service to customer).
- Upgrade Hermitage sewer pump station and add generator (dependability).
- Upgrade Berryville Glen sewer pump station and add generator (dependability).
- Eliminate river and blower disconnects (improve dependability of systems).
- Remove sludge from WWTP lagoon (improve capacity of WWTP equalization).
- Rehab brick manholes (reduce I&I).

- Line and replace sewer mains (reduce I&I).
- South Church Street water main from Taylor Street to Crow Street (improve fire protection and improve system).
- Crow Street water main (improve fire protection and improve system).
- Acquire and deploy meter reading technology (cost reduction to funds /ability to monitor usage/customer service).
- Replace transmission main from WTP (reliability of water dist. system).
- Purchase additional property around river intake (enable Town to better address erosion from road run-off and prepare for work in 2026).
- Tear down structure at WWTP outfall (improve important sewer treatment system related property).

Over the next several years the Streets and Utilities Committee and staff would recommend to the Council that specific water and sewer projects be completed.

REPORTING

The Town Manager and Treasurer would, as a part of the monthly regular Town Council meeting packet, provide report on ARPA activity. Other reporting as required would be provided.

Name	State	Population estimate 2019	Total Estimate
Abingdon town	Virginia	7867	\$8,162,143
Accomac town	Virginia	485	\$503,196
Alberta town	Virginia	270	\$280,129
Altavista town	Virginia	3406	\$3,533,782
Amherst town	Virginia	2180	\$2,261,786
Appalachia town	Virginia	1533	\$1,590,513
Appomattox town	Virginia	1794	\$1,861,305
Ashland town	Virginia	7875	\$8,170,444
Bedford town	Virginia	6597	\$6,844,497
Belle Haven town	Virginia	502	\$520,833
Berryville town	Virginia	4371	\$4,534,985
Big Stone Gap town	Virginia	5132	\$5,324,535
Blackstone town	Virginia	3329	\$3,453,893
Bloxom town	Virginia	366	\$379,731
Bluefield town	Virginia	4837	\$5,018,468
Boones Mill town	Virginia	233	\$241,741
Bowling Green town	Virginia	1175	\$1,219,082
Boyce town	Virginia	627	\$650,523
Boydton town	Virginia	411	\$426,419
Boykins town	Virginia	526	\$545,734
Branchville town	Virginia	115	\$119,314
Bridgewater town	Virginia	6145	\$6,375,540
Broadway town	Virginia	3978	\$4,127,241
Brodnax town	Virginia	268	\$278,054
Brookneal town	Virginia	1098	\$1,139,193
Buchanan town	Virginia	1174	\$1,218,045
Buena Vista city	Virginia	6478	\$6,721,033
Burkeville town	Virginia	399	\$413,969
Cape Charles town	Virginia	1019	\$1,057,229
Capron town	Virginia	151	\$156,665
Cedar Bluff town	Virginia	1002	\$1,039,592
Charlotte Court House town	Virginia	512	\$531,209
Chase City town	Virginia	2215	\$2,298,099
Chatham town	Virginia	1427	\$1,480,536
Cheriton town	Virginia	448	\$464,807
Chilhowie town	Virginia	1702	\$1,765,853
Chincoteague town	Virginia	2875	\$2,982,860
Claremont town	Virginia	336	\$348,606
Clarksville town	Virginia	1166	\$1,209,744
Cleveland town	Virginia	175	\$181,565
Clifton town	Virginia	293	\$303,992
Clifton Forge town	Virginia	3494	\$3,625,083
Clinchco town	Virginia	294	\$305,030
Clinchport town	Virginia	64	\$66,401
Clintwood town	Virginia	1284	\$1,332,171
Coeburn town	Virginia	1845	\$1,914,218

CORONAVIRUS LOCAL FISCAL RECOVERY FUND:
GUIDANCE ON DISTRIBUTION OF FUNDS TO NON-ENTITLEMENT UNITS OF LOCAL GOVERNMENT

U.S. DEPARTMENT OF THE TREASURY

The American Rescue Plan Act of 2021 (ARPA) appropriates \$19.53 billion to States for distribution to tens of thousands of “non-entitlement units of local government” (NEUs). ARPA directs the Department of the Treasury (Treasury) to make payments to each State for distribution to NEUs within the State. Treasury is providing the following guidance to assist States with their distribution of these funds to NEUs.

Statutory Overview

Sections 602 and 603 of the Social Security Act (the Act), as added by section 9901 of ARPA, establish the Coronavirus State Fiscal Recovery Fund (State Fiscal Recovery Fund) and Coronavirus Local Fiscal Recovery Fund (Local Fiscal Recovery Fund), respectively, which provide significant funding to help states and localities address the economic and health consequences of the pandemic. Sections 602 and 603 of the Act provide for Treasury to make payments directly to States, territories, Tribal governments, and various local governments, including counties and cities designated as metropolitan cities. In recognition of the significant differences across States in the ways that local governments are organized and the extent of the services they provide to their populations, Congress also provided for Treasury to make payments to the States to allocate and make this funding available to smaller units of general local governments, NEUs.

A State is required to allocate and distribute the Local Fiscal Recovery Fund payment received from Treasury to each NEU in the State an amount that bears the same proportion to the amount of such payment as the population of the NEU bears to the total population of all the NEUs in the State.¹ However, the total amount to be distributed to an NEU may not exceed the amount equal to 75 percent of its most recent budget as of January 27, 2020.² Each State has 30 days to distribute these funds to NEUs, but Treasury may provide extensions of this deadline, as outlined below.

Treasury will make payments to States from the Local Fiscal Recovery Fund for distribution to NEUs in two tranches, with the Second Tranche payment to be made no earlier than 12 months after the date on which the First Tranche payment is paid to the State.³

Prior to Distribution

Before distributing funds to NEUs, States will need to request payment from Treasury, identify eligible NEUs within their State, calculate allocations, and collect certain documents from NEUs.

- **Request the State’s payment from Treasury.** A State’s submission of a request for payment from the State Fiscal Recovery Fund under section 602 of the Act will suffice for Treasury to initiate payment to the State from the Local Fiscal Recovery Fund for distribution to the State’s NEUs. Payment of this amount will be made to the bank account designated by the State with respect to the State Fiscal Recovery Fund.

¹ See Section 603(b)(2)(C)(i) of the Act.

² See Section 603(b)(2)(C)(iii) of the Act.

³ See Section 603(b)(7) of the Act.

Aggregate NEU allocations to each State can be found on treasury.gov/SLFRP, along with the allocation methodology.

- Identify eligible NEUs. States should identify eligible NEUs by following these guidelines:
 - Treasury has provided on its website a list with names and population estimates for each local government (List), categorized by State, based on data from the Bureau of the Census (Census Bureau) with some clarifications by Treasury.⁴
 - The List includes both “incorporated places” and “minor civil divisions” (MCDs).
 - All incorporated places on the List are eligible for payment.
 - MCDs serve as the primary subdivisions of a county in some States and are commonly known as towns (in New England, New York, and Wisconsin), townships, and districts.⁵ In 12 States—referred to by the Census Bureau as “strong-MCD” States—these MCDs generally perform a wide set of general purpose local government functions. In eight other States—referred to by the Census Bureau as “weak-MCD” States—the MCDs generally play less of a governmental role but are still active governmental units. The other 30 States do not have governmentally functioning MCDs.
 - States should approach the eligibility of their incorporated places and MCDs on the List as follows:
 - For the 12 strong-MCD States⁶ and 30 States without governmentally functioning MCDs, a State should consider all the local governments on the List as eligible for payment.
 - For the eight weak-MCD States,⁷ a State should consider all incorporated places on the List as eligible for payment.

In order to determine the eligibility of its MCDs, the State should undertake a facts-and-circumstances test to determine whether the MCD has the legal and operational capacity to accept ARPA funds and provides a broad range of services that would constitute eligible uses under ARPA. States should consider specific authorities and the size and composition of the budgets of these MCDs in making

⁴ Treasury’s compilation of the List, along with its broader definitional and data methodology, can be found on the Treasury website. For ease of use, Treasury is also providing a list of local governments excluding weak MCDs for the eight weak-MCD States.

⁵ The MCDs function as active governmentally functioning units in all or part of 20 States: Connecticut, Illinois, Indiana, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, and Wisconsin.

⁶ These States are Connecticut, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Wisconsin.

⁷ These States are Illinois, Indiana, Kansas, Missouri, Nebraska, North Dakota, Ohio, and South Dakota.

this determination. MCDs in these States that lack the capacity or do not provide the broad range of services that would constitute eligible uses under ARPA should not be eligible for a NEU distribution. States may categorically exclude all weak MCDs if none of them provide the relevant types of services. Treasury will defer to the States' determination in this regard given their superior understanding of the particularities of their local governments' authorities and operations.

Before making initial distributions to NEUs, each weak-MCD State should identify on the State's website the names of MCDs that the State removed, accompanied by an explanation of the State's determination.

As stated above, strong-MCD States and States without governmentally functioning MCDs should not undergo this facts-and-circumstance test. In addition, weak-MCD States should not undergo a facts-and-circumstances test with respect to their incorporated places.

- Calculate Initial allocations.

- As stated above, ARPA requires States' allocations to NEUs to be based on the proportion of the population in the NEU as a share of the total population of all NEUs in the State. This requirement can be represented by the following formula:

$$\frac{\text{Total population of the NEU}}{\text{Total population of all eligible NEUs}} \times \text{Aggregate state NEU payment}$$

- States must use the population counts in the List, since these reflect the most recent data available from the Census Bureau.⁸
- In some States, the boundaries of some NEUs overlap with or encompass other NEUs within the State, typically resulting in overlapping populations between the larger "parent" NEU and the subsidiary NEU.⁹ An example is a township that encompasses a city. States have the discretion to divide the population of overlapping NEUs in a number of ways for the purpose of the allocation, but Treasury suggests consideration of the following:
 - The default approach is for the subsidiary NEU's population to be subtracted from the larger "parent" NEU for purposes of this allocation. For ease of use, the

⁸ See Section 603(b)(6) of the Act. For the few entities with no population data provided by the Census Bureau, States should use data as a State determines appropriate.

⁹ These overlapping jurisdictions generally occur in the 20 States with active governmentally functioning incorporated places and MCDs.

List reflects this default approach by providing the net population of the “parent” NEU excluding the population of all its subsidiary components.¹⁰

- Alternatively, States may decide to allocate a different split of the overlapping population between NEUs (e.g., 50-50 split for two overlapping NEUs). This decision should be made based on a facts-and-circumstances test that considers the extent to which the NEU provides services that would constitute eligible uses under the Local Fiscal Recovery Fund, including considering the size and composition of the NEU’s budget. States should not allocate the entire overlapping population to the larger “parent” NEU.¹¹
 - Double counting when determining NEU allocations is inadvisable.
- Establish a process for NEUs to submit requests for payment. States should establish a process that will allow NEUs to provide information and documentation necessary to disburse funds to NEUs. The information and documentation collected by the State prior to initiating payment must include the following:
 - Local government name, Entity’s Taxpayer Identification Number, DUNS number, and address
 - Authorized representative name, title, and email
 - Contact person name, title, phone, and email
 - Financial institution information (e.g., routing and account number, financial institution name and contact information)
 - Total NEU budget (defined as the annual total operating budget, including general fund and other funds, in effect as of January 27, 2020) or top-line expenditure total (in exceptional cases in which the NEU does not adopt a formal budget)
 - Award terms and conditions agreement (as provided by Treasury to be signed)
 - Assurances of compliance with Title VI of the Civil Rights Act of 1964 (as provided by Treasury to be signed)
 - Receive requests for payment from NEUs. States should receive and process requests for distribution from NEUs that include the information and documentation indicated above. The State must confirm the NEU is not excluded or disqualified in compliance with 2 C.F.R. Part 180 and Treasury’s implementing regulation at 31 C.F.R. Part 19. States should advise the NEU to retain a copy of its award agreements for upload with the NEU’s first report to Treasury due October 31, 2021. Pursuant to 2 C.F.R. Part 25, States should advise the NEU to register in SAM.gov as soon as possible after receiving the award if the NEU is not already registered.

¹⁰ For consolidated NEU governments, the full populations of the local government may be listed twice. However, States are advised not to double count the population but rather to allocate a split between the two governments based on the facts-and-circumstances test outlined. For consolidated NEU-metropolitan city governments, States similarly may exercise discretion with respect to the population to allocate to the NEU. As a reminder, metropolitan cities are paid directly by Treasury through a different allocation.

¹¹ See section 603(b)(4) of the Act.

As part of this process, States should assign each NEU a unique “NEU Recipient Number” starting with the two letter State abbreviation followed by four numeric digits (e.g., AZ0231). States should advise the NEU to retain this NEU Recipient Number as an identifying number for the lifecycle of the program, including for reporting purposes.

- Determine whether the “75 percent cap” applies. Section 603(b)(2)(C)(iii) of the Act and the Interim Final Rule (IFR) provide that each NEU’s total award (i.e., the total of distributions under both the First and Second Tranche) is capped at 75 percent of its annual total operating budget, including the general fund and other funds, in effect as of January 27, 2020 (“reference budget”). This involves several steps:
 - Receive a budget total. As part of the request for payment, NEUs should submit a top-line total of the NEU’s reference budget, certified by an authorized representative of the NEU. If a NEU does not adopt a formal budget, States should allow the NEU to certify its most recent annual total expenditures as of January 27, 2020 in lieu of the NEU’s budget total. States should advise the NEU that these numbers may be verified against a copy of the appropriate budget documents submitted in the NEU’s first report to Treasury.
 - Compare budget total with allocation. States should compare the total allocation to the NEU (across distributions under both the First and Second Tranches) against the NEU’s reference budget.
 - Return funds to Treasury, if applicable. If an NEU’s total allocation is found to be more than 75 percent of the NEU’s reference budget, the State must return the amount of the allocation in excess of the NEU’s reference budget to Treasury. For example, if Town A is allocated \$100,000 and its reference budget totaled \$100,000, Town A would be entitled to a total distribution of \$75,000. ARPA requires the State to return \$25,000 in total to Treasury. Because payments are made by Treasury in two tranches and distributed by States in at least two distributions, the State would pay \$37,500 to Town A in the first distribution and the State would return \$12,500 to Treasury from the First Tranche amount. States should wait to return these funds to Treasury until after submitting their interim report due August 31, 2021 (detailed below).
- Process requests to transfer to the State. If a State receives notification from an NEU that it would like to decline its funding allocation and transfer funds to the State under Section 603(c)(4) of the Act, Treasury will consider this action as a cancellation of the award on the part of the eligible NEU and a modification of the award to the State. A State will not be required to transfer the amount of the payment to the NEU just for the NEU to transfer it back to the State. As part of this process, the NEU must provide a signed notice to the State, which the State must transmit to Treasury as part of its interim report due August 31, 2021 (or as part of a subsequent report, if applicable). If the NEU does not provide such notice, it will remain legally obligated under the award with respect to accounting for the uses of the funds and the reporting on such uses. Treasury will provide a standard notice form that will be required for this use.

Initial Distribution from First Tranche Amount

ARPA provides that States must make an initial distribution of funds to NEUs no later than 30 days after receiving a payment from Treasury for purpose of distribution to NEUs, unless the State requests and receives an extension. There are several steps that States should take in this phase:

- Disburse the initial distribution of payments. States should disburse the initial distribution of payments to the NEUs based on the allocations calculated in accordance with the process outlined above.

Under the IFR, States may not impose additional conditions or requirements on distributions to NEUs, beyond those permitted by ARPA, the IFR, and Treasury’s guidance. For example, States may not impose stricter limitations than permitted by statute or Treasury regulations or guidance on an NEU’s use of funds based on the NEU’s proposed spending plan or other policies. States are also not permitted to offset any debt owed by the NEU against the NEU’s distribution. Further, States may not provide funding to NEUs on a reimbursement basis.

- Record key information for reporting purposes. States should keep records of amounts allocated and, separately, amounts paid to each NEU. States will be required to submit information on their NEU disbursements with their interim report on the State Fiscal Recovery Fund program.
- Provide guidance to NEUs on their requirements to Treasury. States should direct NEUs to section 603 of the Act, the IFR, and this guidance, along with documents on the Treasury website, which include fact sheets and regularly updated FAQs.
- Apply for extensions, if necessary. If a State submits a certification in writing that it faces an excessive administrative burden in distributing funds to an NEU and requests an extension, in accordance with Section 603(b)(2)(C)(ii)(I) of the Act, Treasury will grant the State a 30-day extension of the deadline for distributing funds. Treasury may grant requests from States for further extensions. More information will be forthcoming on the extensions process.

Subsequent Distribution from First Tranche Amount

If a State has made reasonable efforts to contact an NEU that remains unresponsive (i.e., the NEU has neither requested funding nor declined its allocation and requested a transfer to the State), the State may issue a subsequent distribution of the funds that had been allocated to such non-responsive NEUs among the NEUs that have requested funding. If a State provides for such a subsequent distribution, the State should follow the steps below:

- Gather required information. States should identify the amount of remaining funds, which is the amounts allocated to NEUs that have been non-responsive (“remaining funds”). States should also identify NEUs that have received an initial distribution and whose initial allocation was below the 75 percent cap (“residual NEUs”).
- Allocate remaining funds. States should allocate remaining funds among residual NEUs according to the formula below.

$$\frac{\text{Total population of the residual NEU}}{\text{Total population of all residual NEUs}} \times \text{Remaining state aggregate NEU allocation}$$

- Apply the 75 percent budget cap. Residual NEUs may only receive payments (across both First and Second Tranches, inclusive of distributions from remaining funds) up to the 75 percent budget cap, as described above. Amounts allocated to residual NEUs in excess of their 75 percent budget cap must be returned to Treasury. The excess amounts from the First Tranche should be returned in the post-distribution phase (as detailed below).
- Disburse the subsequent distribution. States should make the subsequent distribution to NEUs after allocating the remaining funds. As discussed above, States are prohibited from putting conditions or requirements on these distributions beyond those permitted by ARPA, the IFR, and Treasury's guidance.
- Record key information for reporting purposes. States should keep records of which residual NEUs received a subsequent allocation and distribution, and the amount of the subsequent allocation and distribution. States will be required to submit information on their subsequent distribution with their periodic reports to Treasury on the State Fiscal Recovery Fund program.

Post-Distribution

States will be asked to submit information on their allocations and distributions to NEUs with their periodic reports to Treasury under the State Fiscal Recovery Fund program, including the interim report on August 31, 2021. NEUs are also required to submit periodic reports to Treasury on their use of funds.

- Submit an interim report (August 2021). As part of the interim report required to be submitted to Treasury by August 31, 2021, which is a requirement under ARPA and the IFR, each State will be asked to provide an update on distributions to individual NEUs, including whether the NEU has (1) received funding; (2) declined funding and requested a transfer to the State under Section 603(c)(4) of the Act; and (3) not taken action on its funding. States should be prepared to report on their information, including the following:
 - NEU name
 - NEU DUNS number
 - NEU address
 - NEU email address
 - NEU Recipient Number (a unique identification code for each NEU assigned by the State to the NEU as part of the request for funding)
 - Initial allocation and, if applicable, subsequent allocation to the NEU (before application of the 75 percent cap)
 - Total NEU budget, defined as the annual total operating budget, including general fund and other funds, in effect as of January 27, 2020 (as submitted by the NEU to the State as part of the request for funding)
 - Amount of the initial and, if applicable, subsequent allocation above 75 percent of the NEU's reference budget which will be returned to Treasury
 - Payment amount(s)
 - Payment date(s)

For each eligible NEU that declined funding and requested a transfer to the State under Section 603(c)(4) of the Act, the State must also attach a form signed by the NEU, as detailed above.

Weak-MCD States should also list NEUs that the State deemed ineligible.

- Submit a first quarterly report (October 2021). As part of the first quarterly report required to be submitted to Treasury by October 31, 2021, which is a requirement under ARPA and the IFR, each State will be asked to provide information on subsequent distributions to NEUs, if applicable.
- Return excess amounts (August-October 2021). States should arrange with Treasury to return excess amounts that were not distributed to the NEUs. Treasury will provide instructions to States on the return of funds.
- Provide guidance to NEUs on their reporting requirements to Treasury (October 2021). As prime recipients of a Federal award, NEUs are required to report to Treasury on the use of funds. States should ensure each NEU has the reporting guidance provided by Treasury, which is forthcoming. NEUs' first report is due to Treasury by October 31, 2021. In addition to other reporting requirements, NEUs will be asked to provide:
 - NEU Recipient Number (a unique identification code for each NEU assigned by the State to the NEU as part of the request for funding)
 - Copy of signed award terms and conditions agreement
 - Copy of signed assurances of compliance with Title VI of the Civil Rights Act of 1964
 - Copy of actual budget documents validating the top-line budget total provided to the State as part of the request for funding
- Await Second Tranche amount (Spring-Summer 2022). Treasury will distribute the Second Tranche of payments to States for distribution to NEUs no earlier than 12 months after the date on which the First Tranche of payments is paid to the State. More information will be forthcoming closer to the date.

Additionally, States may be asked to facilitate Treasury's communications with NEUs, particularly distributing information on NEUs' use of funds and reporting requirements.

OMB Approved No. 1505-0271
Expiration Date: November 30, 2021

U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

Recipient name and address: [Recipient to provide]	DUNS Number: [Recipient to provide]
	Taxpayer Identification Number: [Recipient to provide]
	Assistance Listing Number: 21.019

Sections 602(b) and 603(b) of the Social Security Act (the Act) as added by section 9901 of the American Rescue Plan Act, Pub. L. No. 117-2 (March 11, 2021) authorize the Department of the Treasury (Treasury) to make payments to certain recipients from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund.

Recipient hereby agrees, as a condition to receiving such payment from Treasury, to the terms attached hereto.

Recipient:

Authorized Representative:

Title:

Date signed:

U.S. Department of the Treasury:

Authorized Representative:

Title:

Date:

PAPERWORK REDUCTION ACT NOTICE

The information collected will be used for the U.S. Government to process requests for support. The estimated burden associated with this collection of information is 15 minutes per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. DO NOT send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS LOCAL FISCAL RECOVERY FUND
AWARD TERMS AND CONDITIONS

1. Use of Funds.
 - a. Recipient understands and agrees that the funds disbursed under this award may only be used in compliance with section 603(c) of the Social Security Act (the Act), Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - b. Recipient will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of such project.
2. Period of Performance. The period of performance for this award begins on the date hereof and ends on December 31, 2026. As set forth in Treasury's implementing regulations, Recipient may use award funds to cover eligible costs incurred during the period that begins on March 3, 2021, and ends on December 31, 2024.
3. Reporting. Recipient agrees to comply with any reporting obligations established by Treasury as they relate to this award.
4. Maintenance of and Access to Records
 - a. Recipient shall maintain records and financial documents sufficient to evidence compliance with section 603(c) of the Act, Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - b. The Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of Recipient in order to conduct audits or other investigations.
 - c. Records shall be maintained by Recipient for a period of five (5) years after all funds have been expended or returned to Treasury, whichever is later.
5. Pre-award Costs. Pre-award costs, as defined in 2 C.F.R. § 200.458, may not be paid with funding from this award.
6. Administrative Costs. Recipient may use funds provided under this award to cover both direct and indirect costs.
7. Cost Sharing. Cost sharing or matching funds are not required to be provided by Recipient.
8. Conflicts of Interest. Recipient understands and agrees it must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict of interest policy is applicable to each activity funded under this award. Recipient and subrecipients must disclose in writing to Treasury or the pass-through entity, as appropriate, any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.

9. Compliance with Applicable Law and Regulations.

- a. Recipient agrees to comply with the requirements of section 603 of the Act, regulations adopted by Treasury pursuant to section 603(f) of the Act, and guidance issued by Treasury regarding the foregoing. Recipient also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and Recipient shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this award.
- b. Federal regulations applicable to this award include, without limitation, the following:
 - i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award.
 - ii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
 - iii. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
 - iv. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.
 - v. Recipient Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
 - vi. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
 - vii. New Restrictions on Lobbying, 31 C.F.R. Part 21.
 - viii. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.
 - ix. Generally applicable federal environmental laws and regulations.
- c. Statutes and regulations prohibiting discrimination applicable to this award include, without limitation, the following:
 - i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;

- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 8601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
 - iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
 - iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
 - v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.
10. Remedial Actions. In the event of Recipient's noncompliance with section 603 of the Act, other applicable laws, Treasury's implementing regulations, guidance, or any reporting or other program requirements, Treasury may impose additional conditions on the receipt of a subsequent tranche of future award funds, if any, or take other available remedies as set forth in 2 C.F.R. § 200.339. In the case of a violation of section 603(c) of the Act regarding the use of funds, previous payments shall be subject to recoupment as provided in section 603(e) of the Act.
11. Hatch Act. Recipient agrees to comply, as applicable, with requirements of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by this federal assistance.
12. False Statements. Recipient understands that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.
13. Publications. Any publications produced with funds from this award must display the following language: "This project [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to [name of Recipient] by the U.S. Department of the Treasury."
14. Debts Owed the Federal Government.
- a. Any funds paid to Recipient (1) in excess of the amount to which Recipient is finally determined to be authorized to retain under the terms of this award; (2) that are determined by the Treasury Office of Inspector General to have been misused; or (3) that are determined by Treasury to be subject to a repayment obligation pursuant to section 603(e) of the Act and have not been repaid by Recipient shall constitute a debt to the federal government.
 - b. Any debts determined to be owed the federal government must be paid promptly by

Recipient. A debt is delinquent if it has not been paid by the date specified in Treasury's initial written demand for payment, unless other satisfactory arrangements have been made or if the Recipient knowingly or improperly retains funds that are a debt as defined in paragraph 14(a). Treasury will take any actions available to it to collect such a debt.

15. Disclaimer.

- a. The United States expressly disclaims any and all responsibility or liability to Recipient or third persons for the actions of Recipient or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any contract, or subcontract under this award.
- b. The acceptance of this award by Recipient does not in any way establish an agency relationship between the United States and Recipient.

16. Protections for Whistleblowers.

- a. In accordance with 41 U.S.C. § 4712, Recipient may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
- b. The list of persons and entities referenced in the paragraph above includes the following:
 - i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Treasury employee responsible for contract or grant oversight or management;
 - v. An authorized official of the Department of Justice or other law enforcement agency;
 - vi. A court or grand jury; or
 - vii. A management official or other employee of Recipient, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
- c. Recipient shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

17. Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Recipient should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

18. Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), Recipient should encourage its employees, subrecipients, and contractors to adopt and enforce policies that ban text messaging while driving, and Recipient should establish workplace safety policies to decrease accidents caused by distracted drivers.

CORONAVIRUS LOCAL FISCAL RECOVERY FUND:
NONENTITLEMENT UNIT OF LOCAL GOVERNMENT DEFINITIONAL AND DATA METHODOLOGY

U.S. DEPARTMENT OF THE TREASURY

The American Rescue Plan Act of 2021 (ARPA) allocates \$19.53 billion to States for distribution to tens of thousands of nonentitlement units of local government (NEUs), which are local governments typically serving a population under 50,000. The Department of the Treasury (Treasury) has provided guidance to assist States with their distribution of these funds to NEUs. This document supplements that guidance in describing Treasury's methodology in defining NEUs in accordance with ARPA and publishing the list of local governments on the Treasury website.

Definitional Methodology

ARPA defines the term "nonentitlement unit of local government" to mean a "city" as that term is defined in section 102(a)(5) of the Housing and Community Development Act of 1974 (HCDA) that is not a metropolitan city. Under the HCDA:

The term "city" means: (A) any unit of general local government which is classified as a municipality by the United States Bureau of the Census or (B) any other unit of general local government which is a town or township and which, in the determination of the Secretary [of Housing and Urban Development], (i) possesses powers and performs functions comparable to these associated with municipalities, (ii) is closely settled, and (iii) contains within its boundaries no incorporated places as defined by the United States Bureau of the Census which have not entered into cooperation agreements with such town or township to undertake or to assist in the undertaking of essential community development and housing assistance activities.

The United States Census Bureau (Census Bureau) does not have a singular definition of municipality. Instead, the Census Bureau generally classifies sub-county local governments as incorporated places or minor civil divisions (MCDs). Incorporated places include cities, towns (outside the six New England states, New York, and Wisconsin), boroughs (except the five boroughs of New York City and the boroughs in Alaska), and villages. MCDs are the primary subdivisions of a county in some states, and include towns (in New England, New York, and Wisconsin), townships, and districts. There are twenty states with active, governmentally functioning MCDs.

Since the government services provided by MCDs differ greatly by state, the Census Bureau refers to twelve states with MCDs that generally provide a wide range of general government services as "strong-MCD" states. In these states, MCDs are generally treated as municipalities according to state statutes and codes. In eight other states, MCDs typically play less of a governmental role and provide more limited government services, even though they are still active governments ("weak-MCD" states). The twelve strong-MCD states are Connecticut, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Wisconsin. The eight weak-MCD states are Illinois, Indiana, Kansas, Missouri, Nebraska, North Dakota, Ohio, and South Dakota.

After consultation with the Census Bureau, Treasury is interpreting "municipality" under (A) in the HCDA definition for the purposes of ARPA to generally include both incorporated places and MCDs with active functioning governments, subject to the State determining, in the case of weak-MCD states, that a weak

MCD has the legal and operational capacity to accept ARPA funds and provides a broad range of services that would constitute eligible uses under ARPA. This process is detailed further in the guidance.

As detailed below, the list of local governments provided by Treasury includes all active, functioning incorporated places and MCDs, both in the twelve strong-MCD and the other eight weak-MCD states.¹ The guidance outlines a facts-and-circumstances test for the eight weak-MCD states to evaluate whether their MCDs are eligible for a distribution as a nonentitlement unit of local government.

Data Methodology

To compile the list of local governments, Treasury included local governments listed in the Census Bureau's 2020 Place and 2020 County Subdivision Gazetteer files,² in consultation with the Census Bureau, and obtained their populations from the Census Bureau's City and Town Population Subcounty Resident Population Estimates file from the 2019 Vintage.³ The following modifications were made to the files to arrive at a list of local governments for use in conjunction with Treasury's guidance:

- The data only includes incorporated places, MCDs, and consolidated cities. No census designated places (i.e., unincorporated places), non-functioning MCDs (i.e., election districts, county council districts, etc.), and census county divisions (entities defined for statistical purposes only) are included.
- The data only includes (1) active governments providing primary general-purpose functions, and (2) active governments that are partially consolidated with another government but with separate officials providing primary general-purpose functions.
- In states in which MCDs overlap with incorporated places and/or consolidated cities, the Census Bureau's "MCD Place Part" was used as the population of the respective subcomponents of the MCD.
- Local governments that are eligible for payments as "metropolitan cities" under ARPA were excluded. The list of eligible metropolitan cities can be found [here](#).
 - Only the specific local government that was qualified as a metropolitan city is excluded from the list.
 - In cases where a metropolitan city is geographically encompassed within an NEU, the metropolitan city population is excluded from that NEU's population.
 - In cases where a metropolitan city contains subsidiary NEUs, the metropolitan city is excluded from the NEU list, but the subsidiary NEUs remain.
 - In cases where a metropolitan city is consolidated with an NEU, the metropolitan city is excluded from the NEU list, but the NEU remains.
- Duplicate entries were generally eliminated. These duplicate entries can occur when local governments overlap, and the local governments are listed both as a standalone entry and as a subcomponent of a larger local government. This was done for ease of use.
- Additional formatting changes were made for ease of use.

¹ For ease of use, Treasury also provides a list of local governments without MCDs for the eight weak-MCD states.

² Dataset available at <http://www.census.gov/geographies/reference-files/time-series/geo/gazetteer-files.html>.

³ Dataset available at https://www2.census.gov/programs-surveys/popest/datasets/2010-2019/cities/totals/subest2019_all.csv.

Coronavirus State and Local Fiscal Recovery Funds

Frequently Asked Questions

AS OF MAY 27, 2021

This document contains answers to frequently asked questions regarding the Coronavirus State and Local Fiscal Recovery Funds (CSFRF / CLFRF, or Fiscal Recovery Funds). Treasury will be updating this document periodically in response to questions received from stakeholders. Recipients and stakeholders should consult the Interim Final Rule for additional information.

- For overall information about the program, including information on requesting funding, please see <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments>
- For general questions about CSFRF / CLFRF, please email SLFRP@treasury.gov
- Treasury is seeking comment on all aspects of the Interim Final Rule. Stakeholders are encouraged to submit comments electronically through the Federal eRulemaking Portal (<https://www.regulations.gov/document/TREAS-DO-2021-0008-0002>) on or before July 16, 2021. Please be advised that comments received will be part of the public record and subject to public disclosure. Do not disclose any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Questions added 5/27/21: 1.5, 1.6, 2.13, 2.14, 2.15, 3.9, 4.5, 4.6, 10.3, 10.4 (noted with “[5/27]”)

1. Eligibility and Allocations

1.1. Which governments are eligible for funds?

The following governments are eligible:

- States and the District of Columbia
- Territories
- Tribal governments
- Counties
- Metropolitan cities
- Non-entitlement units, or smaller local governments

1.2. Which governments receive funds directly from Treasury?

Treasury will distribute funds directly to each eligible state, territory, metropolitan city, county, or Tribal government. Smaller local governments that are classified as non-entitlement units will receive funds through their applicable state government.

1.3. Are special-purpose units of government eligible to receive funds?

Special-purpose units of local government will not receive funding allocations; however, a state, territory, local, or Tribal government may transfer funds to a special-purpose unit of government. Special-purpose districts perform specific functions in the community, such as fire, water, sewer or mosquito abatement districts.

1.4. How are funds being allocated to Tribal governments, and how will Tribal governments find out their allocation amounts?

\$20 billion of Fiscal Recovery Funds was reserved for Tribal governments. The American Rescue Plan Act specifies that \$1 billion will be allocated evenly to all eligible Tribal governments. The remaining \$19 billion will be distributed using an allocation methodology based on enrollment and employment.

There will be two payments to Tribal governments. Each Tribal government's first payment will include (i) an amount in respect of the \$1 billion allocation that is to be divided equally among eligible Tribal governments and (ii) each Tribal government's pro rata share of the Enrollment Allocation. Tribal governments will be notified of their allocation amount and delivery of payment 4-5 days after completing request for funds in the Treasury Submission Portal. The deadline to make the initial request for funds is June 7, 2021.

In late-May or shortly after completing the initial request for funds, Tribal governments will receive an email notification to re-enter the Treasury Submission Portal to confirm or amend their 2019 employment numbers that were submitted to the Department of the Treasury for the CARES Act's Coronavirus Relief Fund. The deadline to confirm employment numbers is June 21, 2021. Treasury will calculate each Tribal government's pro rata share of the Employment Allocation for those Tribal governments that confirmed or submitted amended employment numbers. In late-June, Treasury will communicate to Tribal governments the amount of their portion of the Employment Allocation and the anticipated date for the second payment.

1.5. My county is a unit of general local government with population under 50,000. Will my county receive funds directly from Treasury? [5/27]

Yes. All counties that are units of general local government will receive funds directly from Treasury and should apply via the [online portal](#). The list of county allocations is available [here](#).

1.6. My local government expected to be classified as a nonentitlement unit. Instead, it was classified as a metropolitan city. Why? [5/27]

The American Rescue Plan Act defines, for purposes of the Coronavirus Local Fiscal Recovery Fund (CLFRF), metropolitan cities to include those that are currently metropolitan cities under the Community Development Block Grant (CDBG) program but also those cities that relinquish or defer their status as a metropolitan city for purposes

of the CDBG program. This would include, by way of example, cities that are principal cities of their metropolitan statistical area, even if their population is less than 50,000. In other words, a city that is eligible to be a metropolitan city under the CDBG program is eligible as a metropolitan city under the CLFRF, regardless of how that city has elected to participate in the CDBG program.

Unofficial allocation estimates produced by other organizations may have classified certain local governments as nonentitlement units of local government. However, based on the statutory definitions, some of these local governments should have been classified as metropolitan cities.

2. Eligible Uses – Responding to the Public Health Emergency / Negative Economic Impacts

2.1. What types of COVID-19 response, mitigation, and prevention activities are eligible?

A broad range of services are needed to contain COVID-19 and are eligible uses, including vaccination programs; medical care; testing; contact tracing; support for isolation or quarantine; supports for vulnerable populations to access medical or public health services; public health surveillance (e.g., monitoring case trends, genomic sequencing for variants); enforcement of public health orders; public communication efforts; enhancement to health care capacity, including through alternative care facilities; purchases of personal protective equipment; support for prevention, mitigation, or other services in congregate living facilities (e.g., nursing homes, incarceration settings, homeless shelters, group living facilities) and other key settings like schools; ventilation improvements in congregate settings, health care settings, or other key locations; enhancement of public health data systems; and other public health responses. Capital investments in public facilities to meet pandemic operational needs are also eligible, such as physical plant improvements to public hospitals and health clinics or adaptations to public buildings to implement COVID-19 mitigation tactics.

2.2. If a use of funds was allowable under the Coronavirus Relief Fund (CRF) to respond to the public health emergency, may recipients presume it is also allowable under CSFRF/CLFRF?

Generally, funding uses eligible under CRF as a response to the direct public health impacts of COVID-19 will continue to be eligible under CSFRF/CLFRF, with the following two exceptions: (1) the standard for eligibility of public health and safety payrolls has been updated; and (2) expenses related to the issuance of tax-anticipation notes are not an eligible funding use.

2.3. If a use of funds is not explicitly permitted in the Interim Final Rule as a response to the public health emergency and its negative economic impacts, does that mean it is prohibited?

The Interim Final Rule contains a non-exclusive list of programs or services that may be funded as responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency, along with considerations for evaluating other potential uses of Fiscal Recovery Funds not explicitly listed. The Interim Final Rule also provides flexibility for recipients to use Fiscal Recovery Funds for programs or services that are not identified on these non-exclusive lists but which meet the objectives of section 602(c)(1)(A) or 603(c)(1)(A) by responding to the COVID-19 public health emergency with respect to COVID-19 or its negative economic impacts.

2.4. May recipients use funds to respond to the public health emergency and its negative economic impacts by replenishing state unemployment funds?

Consistent with the approach taken in the CRF, recipients may make deposits into the state account of the Unemployment Trust Fund up to the level needed to restore the pre-pandemic balances of such account as of January 27, 2020, or to pay back advances received for the payment of benefits between January 27, 2020 and the date when the Interim Final Rule is published in the Federal Register.

2.5. What types of services are eligible as responses to the negative economic impacts of the pandemic?

Eligible uses in this category include assistance to households; small businesses and non-profits; and aid to impacted industries.

Assistance to households includes, but is not limited to: food assistance; rent, mortgage, or utility assistance; counseling and legal aid to prevent eviction or homelessness; cash assistance; emergency assistance for burials, home repairs, weatherization, or other needs; internet access or digital literacy assistance; or job training to address negative economic or public health impacts experienced due to a worker's occupation or level of training.

Assistance to small business and non-profits includes, but is not limited to:

- loans or grants to mitigate financial hardship such as declines in revenues or impacts of periods of business closure, for example by supporting payroll and benefits costs, costs to retain employees, mortgage, rent, or utilities costs, and other operating costs;
- Loans, grants, or in-kind assistance to implement COVID-19 prevention or mitigation tactics, such as physical plant changes to enable social distancing, enhanced cleaning efforts, barriers or partitions, or COVID-19 vaccination, testing, or contact tracing programs; and
- Technical assistance, counseling, or other services to assist with business planning needs

2.6. May recipients use funds to respond to the public health emergency and its negative economic impacts by providing direct cash transfers to households?

Yes, provided the recipient considers whether, and the extent to which, the household has experienced a negative economic impact from the pandemic. Additionally, cash transfers must be reasonably proportional to the negative economic impact they are intended to address. Cash transfers grossly in excess of the amount needed to address the negative economic impact identified by the recipient would not be considered to be a response to the COVID-19 public health emergency or its negative impacts. In particular, when considering appropriate size of permissible cash transfers made in response to the COVID-19 public health emergency, state, local, territorial, and Tribal governments may consider and take guidance from the per person amounts previously provided by the federal government in response to the COVID crisis.

- 2.7. May funds be used to reimburse recipients for costs incurred by state and local governments in responding to the public health emergency and its negative economic impacts prior to passage of the American Rescue Plan?**

Use of Fiscal Recovery Funds is generally forward looking. The Interim Final Rule permits funds to be used to cover costs incurred beginning on March 3, 2021.

- 2.8. May recipients use funds for general economic development or workforce development?**

Generally, not. Recipients must demonstrate that funding uses directly address a negative economic impact of the COVID-19 public health emergency, including funds used for economic or workforce development. For example, job training for unemployed workers may be used to address negative economic impacts of the public health emergency and be eligible.

- 2.9. How can recipients use funds to assist the travel, tourism, and hospitality industries?**

Aid provided to tourism, travel, and hospitality industries should respond to the negative economic impacts of the pandemic. For example, a recipient may provide aid to support safe reopening of businesses in the tourism, travel and hospitality industries and to districts that were closed during the COVID-19 public health emergency, as well as aid a planned expansion or upgrade of tourism, travel and hospitality facilities delayed due to the pandemic.

Tribal development districts are considered the commercial centers for tribal hospitality, gaming, tourism and entertainment industries.

- 2.10. May recipients use funds to assist impacted industries other than travel, tourism, and hospitality?**

Yes, provided that recipients consider the extent of the impact in such industries as compared to tourism, travel, and hospitality, the industries enumerated in the statute. For

example, nationwide the leisure and hospitality industry has experienced an approximately 17 percent decline in employment and 24 percent decline in revenue, on net, due to the COVID-19 public health emergency. Recipients should also consider whether impacts were due to the COVID-19 pandemic, as opposed to longer-term economic or industrial trends unrelated to the pandemic.

Recipients should maintain records to support their assessment of how businesses or business districts receiving assistance were affected by the negative economic impacts of the pandemic and how the aid provided responds to these impacts.

2.11. How does the Interim Final Rule help address the disparate impact of COVID-19 on certain populations and geographies?

In recognition of the disproportionate impacts of the COVID-19 virus on health and economic outcomes in low-income and Native American communities, the Interim Final Rule identifies a broader range of services and programs that are considered to be in response to the public health emergency when provided in these communities. Specifically, Treasury will presume that certain types of services are eligible uses when provided in a Qualified Census Tract (QCT), to families living in QCTs, or when these services are provided by Tribal governments.

Recipients may also provide these services to other populations, households, or geographic areas disproportionately impacted by the pandemic. In identifying these disproportionately-impacted communities, recipients should be able to support their determination for how the pandemic disproportionately impacted the populations, households, or geographic areas to be served.

Eligible services include:

- Addressing health disparities and the social determinants of health, including: community health workers, public benefits navigators, remediation of lead paint or other lead hazards, and community violence intervention programs;
- Building stronger neighborhoods and communities, including: supportive housing and other services for individuals experiencing homelessness, development of affordable housing, and housing vouchers and assistance relocating to neighborhoods with higher levels of economic opportunity;
- Addressing educational disparities exacerbated by COVID-19, including: early learning services, increasing resources for high-poverty school districts, educational services like tutoring or afterschool programs, and supports for students' social, emotional, and mental health needs; and
- Promoting healthy childhood environments, including: child care, home visiting programs for families with young children, and enhanced services for child welfare-involved families and foster youth.

2.12. May recipients use funds to pay for vaccine incentive programs (e.g., cash or in-kind transfers, lottery programs, or other incentives for individuals who get vaccinated)?

Yes. Under the Interim Final Rule, recipients may use Coronavirus State and Local Fiscal Recovery Funds to respond to the COVID-19 public health emergency, including expenses related to COVID-19 vaccination programs. See forthcoming 31 CFR 35.6(b)(1)(i). Programs that provide incentives reasonably expected to increase the number of people who choose to get vaccinated, or that motivate people to get vaccinated sooner than they otherwise would have, are an allowable use of funds so long as such costs are reasonably proportional to the expected public health benefit.

2.13. May recipients use funds to pay "back to work incentives" (e.g., cash payments for newly employed workers after a certain period of time on the job)? [5/27]

Yes. Under the Interim Final Rule, recipients may use Coronavirus State and Local Fiscal Recovery Funds to provide assistance to unemployed workers. See forthcoming 31 CFR 35.6(b)(4). This assistance can include job training or other efforts to accelerate rehiring and thus reduce unemployment, such as childcare assistance, assistance with transportation to and from a jobsite or interview, and incentives for newly employed workers.

2.14. The Coronavirus Relief Fund (CRF) included as an eligible use: "Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency." What has changed in CSFRF/CLFRF, and what type of documentation is required under CSFRF/CLFRF? [5/27]

Many of the expenses authorized under the Coronavirus Relief Fund are also eligible uses under the CSFRF/CLFRF. However, in the case of payroll expenses for public safety, public health, health care, human services, and similar employees (hereafter, public health and safety staff), the CSFRF/CLFRF does differ from the CRF. This change reflects the differences between the ARPA and CARES Act and recognizes that the response to the COVID-19 public health emergency has changed and will continue to change over time. In particular, funds may be used for payroll and covered benefits expenses for public safety, public health, health care, human services, and similar employees, including first responders, to the extent that the employee's time that is dedicated to responding to the COVID-19 public health emergency.

For administrative convenience, the recipient may consider a public health and safety employee to be entirely devoted to mitigating or responding to the COVID-19 public health emergency, and therefore fully covered, if the employee, or his or her operating unit or division, is primarily dedicated (e.g., more than half of the employee's time is dedicated) to responding to the COVID-19 public health emergency.

Recipients may use presumptions for assessing whether an employee, division, or operating unit is primarily dedicated to COVID-19 response. The recipient should maintain records to support its assessment, such as payroll records, attestations from supervisors or staff, or regular work product or correspondence demonstrating work on the COVID-19 response. Recipients need not routinely track staff hours. Recipients should periodically reassess their determinations.

2.15. What staff are included in “public safety, public health, health care, human services, and similar employees”? Would this include, for example, 911 operators, morgue staff, medical examiner staff, or EMS staff? [5/27]

As discussed in the Interim Final Rule, funds may be used for payroll and covered benefits expenses for public safety, public health, health care, human services, and similar employees, for the portion of the employee’s time that is dedicated to responding to the COVID-19 public health emergency.

Public safety employees would include police officers (including state police officers), sheriffs and deputy sheriffs, firefighters, emergency medical responders, correctional and detention officers, and those who directly support such employees such as dispatchers and supervisory personnel. Public health employees would include employees involved in providing medical and other health services to patients and supervisory personnel, including medical staff assigned to schools, prisons, and other such institutions, and other support services essential for patient care (e.g., laboratory technicians, medical examiner or morgue staff) as well as employees of public health departments directly engaged in matters related to public health and related supervisory personnel. Human services staff include employees providing or administering social services; public benefits; child welfare services; and child, elder, or family care, as well as others.

3. Eligible Uses – Revenue Loss

3.1. How is revenue defined for the purpose of this provision?

The Interim Final Rule adopts a definition of “General Revenue” that is based on, but not identical, to the Census Bureau’s concept of “General Revenue from Own Sources” in the Annual Survey of State and Local Government Finances.

General Revenue includes revenue from taxes, current charges, and miscellaneous general revenue. It excludes refunds and other correcting transactions, proceeds from issuance of debt or the sale of investments, agency or private trust transactions, and revenue generated by utilities and insurance trusts. General revenue also includes intergovernmental transfers between state and local governments, but excludes intergovernmental transfers from the Federal government, including Federal transfers made via a state to a locality pursuant to the CRF or the Fiscal Recovery Funds.

Tribal governments may include all revenue from Tribal enterprises and gaming operations in the definition of General Revenue.

- 3.2. Will revenue be calculated on an entity-wide basis or on a source-by-source basis (e.g. property tax, income tax, sales tax, etc.)?

Recipients should calculate revenue on an entity-wide basis. This approach minimizes the administrative burden for recipients, provides for greater consistency across recipients, and presents a more accurate representation of the net impact of the COVID-19 public health emergency on a recipient's revenue, rather than relying on financial reporting prepared by each recipient, which vary in methodology used and which generally aggregates revenue by purpose rather than by source.

- 3.3. Does the definition of revenue include outside concessions that contract with a state or local government?

Recipients should classify revenue sources as they would if responding to the U.S. Census Bureau's Annual Survey of State and Local Government Finances. According to the Census Bureau's Government Finance and Employment Classification manual, the following is an example of current charges that would be included in a state or local government's general revenue from own sources: "Gross revenue of facilities operated by a government (swimming pools, recreational marinas and piers, golf courses, skating rinks, museums, zoos, etc.); auxiliary facilities in public recreation areas (camping areas, refreshment stands, gift shops, etc.); lease or use fees from stadiums, auditoriums, and community and convention centers; and rentals from concessions at such facilities."

- 3.4. What is the time period for estimating revenue loss? Will revenue losses experienced prior to the passage of the Act be considered?

Recipients are permitted to calculate the extent of reduction in revenue as of four points in time: December 31, 2020; December 31, 2021; December 31, 2022; and December 31, 2023. This approach recognizes that some recipients may experience lagged effects of the pandemic on revenues.

Upon receiving Fiscal Recovery Fund payments, recipients may immediately calculate revenue loss for the period ending December 31, 2020.

- 3.5. What is the formula for calculating the reduction in revenue?

A reduction in a recipient's General Revenue equals:

$$\text{Max} \{ [\text{Base Year Revenue} * (1 + \text{Growth Adjustment})^{\frac{n_t}{12}}] - \text{Actual General Revenue}_t ; 0 \}$$

Where:

Base Year Revenue is General Revenue collected in the most recent full fiscal year prior to the COVID-19 public health emergency.

Growth Adjustment is equal to the greater of 4.1 percent (or 0.041) and the recipient's average annual revenue growth over the three full fiscal years prior to the COVID-19 public health emergency.

n equals the number of months elapsed from the end of the base year to the calculation date.

Actual General Revenue is a recipient's actual general revenue collected during 12-month period ending on each calculation date.

Subscript t denotes the calculation date.

3.6. Are recipients expected to demonstrate that reduction in revenue is due to the COVID-19 public health emergency?

In the Interim Final Rule, any diminution in actual revenue calculated using the formula above would be presumed to have been "due to" the COVID-19 public health emergency. This presumption is made for administrative ease and in recognition of the broad-based economic damage that the pandemic has wrought.

3.7. May recipients use pre-pandemic projections as a basis to estimate the reduction in revenue?

No. Treasury is disallowing the use of projections to ensure consistency and comparability across recipients and to streamline verification. However, in estimating the revenue shortfall using the formula above, recipients may incorporate their average annual revenue growth rate in the three full fiscal years prior to the public health emergency.

3.8. Once a recipient has identified a reduction in revenue, are there any restrictions on how recipients use funds up to the amount of the reduction?

The Interim Final Rule gives recipients broad latitude to use funds for the provision of government services to the extent of reduction in revenue. Government services can include, but are not limited to, maintenance of infrastructure or pay-go spending for building new infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services.

However, paying interest or principal on outstanding debt, replenishing rainy day or other reserve funds, or paying settlements or judgments would not be considered provision of a government service, since these uses of funds do not entail direct provision of services to

citizens. This restriction on paying interest or principal on any outstanding debt instrument, includes, for example, short-term revenue or tax anticipation notes, or paying fees or issuance costs associated with the issuance of new debt. In addition, the overarching restrictions on all program funds (e.g., restriction on pension deposits, restriction on using funds for non-federal match where barred by regulation or statute) would apply.

3.9. How do I know if a certain type of revenue should be counted for the purpose of computing revenue loss? [5/27]

As discussed in FAQ #3.1, the Interim Final Rule adopts a definition of “General Revenue” that is based on, but not identical, to the Census Bureau’s concept of “General Revenue from Own Sources” in the Annual Survey of State and Local Government Finances.

Recipients should refer to the definition of “General Revenue” included in the Interim Final Rule. See forthcoming 31 CFR 35.3. If a recipient is unsure whether a particular revenue source is included in the Interim Final Rule’s definition of “General Revenue,” the recipient may consider the classification and instructions used to complete the Census Bureau’s Annual Survey.

For example, parking fees would be classified as a Current Charge for the purpose of the Census Bureau’s Annual Survey, and the Interim Final Rule’s concept of “General Revenue” includes all Current Charges. Therefore, parking fees would be included in the Interim Final Rule’s concept of “General Revenue.”

The Census Bureau’s Government Finance and Employment Classification manual is available [here](#).

4. Eligible Uses – General

4.1. May recipients use funds to replenish a budget stabilization fund, rainy day fund, or similar reserve account?

No. Funds made available to respond to the public health emergency and its negative economic impacts are intended to help meet pandemic response needs and provide immediate stabilization for households and businesses. Contributions to rainy day funds and similar reserves funds would not address these needs or respond to the COVID-19 public health emergency, but would rather be savings for future spending needs. Similarly, funds made available for the provision of governmental services (to the extent of reduction in revenue) are intended to support direct provision of services to citizens. Contributions to rainy day funds are not considered provision of government services, since such expenses do not directly relate to the provision of government services.

4.2. May recipients use funds to invest in infrastructure other than water, sewer, and broadband projects (e.g. roads, public facilities)?

Under 602(c)(1)(C) or 603(c)(1)(C), recipients may use funds for maintenance of infrastructure or pay-go spending for building of new infrastructure as part of the general provision of government services, to the extent of the estimated reduction in revenue due to the public health emergency.

Under 602(c)(1)(A) or 603(c)(1)(A), a general infrastructure project typically would not be considered a response to the public health emergency and its negative economic impacts unless the project responds to a specific pandemic-related public health need (e.g., investments in facilities for the delivery of vaccines) or a specific negative economic impact of the pandemic (e.g., affordable housing in a Qualified Census Tract).

4.3. May recipients use funds to pay interest or principal on outstanding debt?

No. Expenses related to financing, including servicing or redeeming notes, would not address the needs of pandemic response or its negative economic impacts. Such expenses would also not be considered provision of government services, as these financing expenses do not directly provide services or aid to citizens.

This applies to paying interest or principal on any outstanding debt instrument, including, for example, short-term revenue or tax anticipation notes, or paying fees or issuance costs associated with the issuance of new debt.

4.4. May recipients use funds to satisfy nonfederal matching requirements under the Stafford Act? May recipients use funds to satisfy nonfederal matching requirements generally?

Fiscal Recovery Funds are subject to pre-existing limitations in other federal statutes and regulations and may not be used as non-federal match for other Federal programs whose statute or regulations bar the use of Federal funds to meet matching requirements. For example, expenses for the state share of Medicaid are not an eligible use. For information on FEMA programs, please [see here](#).

4.5. Are governments required to submit proposed expenditures to Treasury for approval? [5/27]

No. Recipients are not required to submit planned expenditures for prior approval by Treasury. Recipients are subject to the requirements and guidelines for eligible uses contained in the Interim Final Rule.

4.6. How do I know if a specific use is eligible? [5/27]

Fiscal Recovery Funds must be used in one of the four eligible use categories specified in the American Rescue Plan Act and implemented in the Interim Final Rule:

- a) To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- b) To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
- c) For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; and
- d) To make necessary investments in water, sewer, or broadband infrastructure.

Recipients should consult Section II of the Interim Final Rule for additional information on eligible uses. For recipients evaluating potential uses under (a), the Interim Final Rule contains a non-exclusive list of programs or services that may be funded as responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency, along with considerations for evaluating other potential uses of Fiscal Recovery Funds not explicitly listed. See Section 2 for additional discussion.

For recipients evaluating potential uses under (c), the Interim Final Rule gives recipients broad latitude to use funds for the provision of government services to the extent of reduction in revenue. See FAQ #3.8 for additional discussion.

For recipients evaluating potential uses under (b) and (d), see Sections 5 and 6.

5. Eligible Uses – Premium Pay

5.1. What criteria should recipients use in identifying essential workers to receive premium pay?

Essential workers are those in critical infrastructure sectors who regularly perform in-person work, interact with others at work, or physically handle items handled by others.

Critical infrastructure sectors include healthcare, education and childcare, transportation, sanitation, grocery and food production, and public health and safety, among others, as provided in the Interim Final Rule. Governments receiving Fiscal Recovery Funds have the discretion to add additional sectors to this list, so long as the sectors are considered critical to protect the health and well-being of residents.

The Interim Final Rule emphasizes the need for recipients to prioritize premium pay for lower income workers. Premium pay that would increase a worker's total pay above 150% of the greater of the state or county average annual wage requires specific justification for how it responds to the needs of these workers.

5.2. What criteria should recipients use in identifying third-party employers to receive grants for the purpose of providing premium pay to essential workers?

Any third-party employers of essential workers are eligible. Third-party contractors who employ essential workers in eligible sectors are also eligible for grants to provide premium pay. Selection of third-party employers and contractors who receive grants is at the discretion of recipients.

To ensure any grants respond to the needs of essential workers and are made in a fair and transparent manner, the rule imposes some additional reporting requirements for grants to third-party employers, including the public disclosure of grants provided.

5.3. May recipients provide premium pay retroactively for work already performed?

Yes. Treasury encourages recipients to consider providing premium pay retroactively for work performed during the pandemic, recognizing that many essential workers have not yet received additional compensation for their service during the pandemic.

6. Eligible Uses – Water, Sewer, and Broadband Infrastructure

6.1. What types of water and sewer projects are eligible uses of funds?

The Interim Final Rule generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency’s Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF).

Under the DWSRF, categories of eligible projects include: treatment, transmission and distribution (including lead service line replacement), source rehabilitation and decontamination, storage, consolidation, and new systems development.

Under the CWSRF, categories of eligible projects include: construction of publicly-owned treatment works, nonpoint source pollution management, national estuary program projects, decentralized wastewater treatment systems, stormwater systems, water conservation, efficiency, and reuse measures, watershed pilot projects, energy efficiency measures for publicly-owned treatment works, water reuse projects, security measures at publicly-owned treatment works, and technical assistance to ensure compliance with the Clean Water Act.

As mentioned in the Interim Final Rule, eligible projects under the DWSRF and CWSRF support efforts to address climate change, as well as to meet cybersecurity needs to protect water and sewer infrastructure. Given the lifelong impacts of lead exposure for children, and the widespread nature of lead service lines, Treasury also encourages recipients to consider projects to replace lead service lines.

- 6.2. May construction on eligible water, sewer, or broadband infrastructure projects continue past December 31, 2024, assuming funds have been obligated prior to that date?

Yes. Treasury is interpreting the requirement that costs be incurred by December 31, 2024 to only require that recipients have obligated the funds by such date. The period of performance will run until December 31, 2026, which will provide recipients a reasonable amount of time to complete projects funded with Fiscal Recovery Funds.

- 6.3. May recipients use funds as a non-federal match for the Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF)?

Recipients may not use funds as a state match for the CWSRF and DWSRF due to prohibitions in utilizing federal funds as a state match in the authorizing statutes and regulations of the CWSRF and DWSRF.

- 6.4. Does the National Environmental Policy Act (NEPA) apply to eligible infrastructure projects?

NEPA does not apply to Treasury's administration of the Funds. Projects supported with payments from the Funds may still be subject to NEPA review if they are also funded by other federal financial assistance programs.

- 6.5. What types of broadband projects are eligible?

The Interim Final Rule requires eligible projects to reliably deliver minimum speeds of 100 Mbps download and 100 Mbps upload. In cases where it is impracticable due to geography, topography, or financial cost to meet those standards, projects must reliably deliver at least 100 Mbps download speed, at least 20 Mbps upload speed, and be scalable to a minimum of 100 Mbps download speed and 100 Mbps upload speed.

Projects must also be designed to serve unserved or underserved households and businesses, defined as those that are not currently served by a wireline connection that reliably delivers at least 25 Mbps download speed and 3 Mbps of upload speed.

- 6.6. For broadband investments, may recipients use funds for related programs such as cybersecurity or digital literacy training?

Yes. Recipients may use funds to provide assistance to households facing negative economic impacts due to Covid-19, including digital literacy training and other programs that promote access to the Internet. Recipients may also use funds for modernization of cybersecurity, including hardware, software, and protection of critical infrastructure, as part of provision of government services up to the amount of revenue lost due to the public health emergency.

7. Non-Entitlement Units (NEUs)

7.1. Can states impose requirements or conditions on the transfer of funds to NEUs?

As the statute requires states to make distributions based on population, states may not place additional conditions or requirements on distributions to NEUs, beyond those required by the ARPA and Treasury's implementing regulations and guidance.

For example, states may not impose stricter limitations than permitted by statute or Treasury regulations or guidance on an NEU's use of Fiscal Recovery Funds based on the NEU's proposed spending plan or other policies, nor permitted to offset any debt owed by the NEU against its payment. Further, states may not provide funding on a reimbursement basis (e.g., requiring NEUs to pay for project costs up front before being reimbursed with Fiscal Recovery Fund payments), because this approach would not comport with the statutory requirement that states make distributions to NEUs within the statutory timeframe.

7.2. Can states transfer additional funds to local governments beyond amount allocated to NEUs?

Yes. The Interim Final Rule permits states, territories, and Tribal governments to transfer Fiscal Recovery Funds to other constituent units of government or private entities beyond those specified in the statute, as long as the transferee abides by the transferor's eligible use and other requirements. Similarly, local governments are authorized to transfer Fiscal Recovery Funds to other constituent units of government (e.g., a county is able to transfer Fiscal Recovery Funds to a city, town or school district within it).

7.3. What is the definition of "budget" for the purpose of the 75 percent cap on NEU payments, and who is responsible for enforcing this cap?

States are responsible for enforcing the "75 percent cap" on NEU payments, which is a statutory requirement that distributions to NEUs not exceed 75 percent of the NEU's most recent budget. Treasury interprets the most recent budget as the NEU's most recent annual total operating budget, including its general fund and other funds, as of January 27, 2020. States may rely for this determination on a certified top-line budget total from the NEU. Funding amounts in excess of such cap must be returned to Treasury.

7.4. May states use funds to pay for the administrative costs of allocating and distributing money to the NEUs?

Yes. If necessary, states may use Fiscal Recovery Funds to support the administrative costs of allocating and distributing money to NEUs, as disbursing these funds itself is a response to the public health emergency and its negative economic impacts.

8. Ineligible Uses

- 8.1. What is meant by a pension “deposit”? Can governments use funds for routine pension contributions for employees whose payroll and covered benefits are eligible expenses?

Treasury interprets “deposit” in this context to refer to an extraordinary payment into a pension fund for the purpose of reducing an accrued, unfunded liability. More specifically, the interim final rule does not permit this assistance to be used to make a payment into a pension fund if both: (1) the payment reduces a liability incurred prior to the start of the COVID-19 public health emergency, and (2) the payment occurs outside the recipient’s regular timing for making such payments.

Under this interpretation, a “deposit” is distinct from a “payroll contribution,” which occurs when employers make payments into pension funds on regular intervals, with contribution amounts based on a pre-determined percentage of employees’ wages and salaries. In general, if an employee’s wages and salaries are an eligible use of Fiscal Recovery Funds, recipients may treat the employee’s covered benefits as an eligible use of Fiscal Recovery Funds.

9. Reporting

- 9.1. What records must be kept by governments receiving funds?

Financial records and supporting documents related to the award must be retained for a period of five years after all funds have been expended or returned to Treasury, whichever is later. This includes those which demonstrate the award funds were used for eligible purposes in accordance with the ARPA, Treasury’s regulations implementing those sections, and Treasury’s guidance on eligible uses of funds.

- 9.2. What reporting will be required, and when will the first report be due?

Recipients will be required to submit an interim report, quarterly project and expenditure reports, and annual recovery plan performance reports as specified below, regarding their utilization of Coronavirus State and Local Fiscal Recovery Funds.

Interim reports: States (defined to include the District of Columbia), territories, metropolitan cities, counties, and Tribal governments will be required to submit one interim report. The interim report will include a recipient’s expenditures by category at the summary level and for states, information related to distributions to nonentitlement units of local government must also be included in the interim report. The interim report will cover activity from the date of award to July 31, 2021 and must be submitted to Treasury by August 31, 2021. Nonentitlement units of local government are not required to submit an interim report.

Quarterly Project and Expenditure reports: State (defined to include the District of Columbia), territorial, metropolitan city, county, and Tribal governments will be required to submit quarterly project and expenditure reports. This report will include financial data, information on contracts and subawards over \$50,000, types of projects funded, and other information regarding a recipient's utilization of award funds. Reports will be required quarterly with the exception of nonentitlement units, which will report annually. An interim report is due on August 31, 2021. The reports will include the same general data as those submitted by recipients of the Coronavirus Relief Fund, with some modifications to expenditure categories and the addition of data elements related to specific eligible uses. The initial quarterly Project and Expenditure report will cover two calendar quarters from the date of award to September 30, 2021 and must be submitted to Treasury by October 31, 2021. The subsequent quarterly reports will cover one calendar quarter and must be submitted to Treasury within 30 days after the end of each calendar quarter.

Nonentitlement units of local government will be required to submit the project and expenditure report annually. The initial annual Project and Expenditure report for nonentitlement units of local government will cover activity from the date of award to September 30, 2021 and must be submitted to Treasury by October 31, 2021. The subsequent annual reports must be submitted to Treasury by October 31 each year.

Recovery Plan Performance reports: States (defined to include the District of Columbia), territories, metropolitan cities, and counties with a population that exceeds 250,000 residents will also be required to submit an annual recovery plan performance report to Treasury. This report will include descriptions of the projects funded and information on the performance indicators and objectives of each award, helping local residents understand how their governments are using the substantial resources provided by Coronavirus State and Local Fiscal Recovery Funds program. The initial recovery plan performance report will cover activity from date of award to July 31, 2021 and must be submitted to Treasury by August 31, 2021. Thereafter, the recovery plan performance reports will cover a 12-month period and recipients will be required to submit the report to Treasury within 30 days after the end of the 12-month period. The second Recovery Plan Performance report will cover the period from July 1, 2021 to June 30, 2022 and must be submitted to Treasury by July 31, 2022. Each annual recovery plan performance report must be posted on the public-facing website of the recipient. Local governments with fewer than 250,000 residents, Tribal governments, and nonentitlement units of local government are not required to develop a Recovery Plan Performance report.

Treasury will provide further guidance and instructions on the reporting requirements for program at a later date.

9.3. What provisions of the Uniform Guidance for grants apply to these funds? Will the Single Audit requirements apply?

Most of the provisions of the Uniform Guidance (2 CFR Part 200) apply to this program, including the Cost Principles and Single Audit Act requirements. Recipients should refer

to the Assistance Listing for detail on the specific provisions of the Uniform Guidance that do not apply to this program. The Assistance Listing will be available on beta.SAM.gov.

10. Miscellaneous

- 10.1. May governments retain assets purchased with Fiscal Recovery Funds? If so, what rules apply to the proceeds of disposition or sale of such assets?

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds. If such assets are disposed of prior to December 31, 2024, the proceeds would be subject to the restrictions on the eligible use of payments.

- 10.2. Can recipients use funds for administrative purposes?

Recipients may use funds to cover the portion of payroll and benefits of employees corresponding to time spent on administrative work necessary due to the COVID-19 public health emergency and its negative economic impacts. This includes, but is not limited to, costs related to disbursing payments of Fiscal Recovery Funds and managing new grant programs established using Fiscal Recovery Funds.

- 10.3. Are recipients required to remit interest earned on CSFRF/CLFRF payments made by Treasury? [5/27]

No. CSFRF/CLFRF payments made by Treasury to states, territories, and the District of Columbia are not subject to the requirement of the Cash Management Improvement Act and Treasury's implementing regulations at 31 CFR part 205 to remit interest to Treasury. CSFRF/CLFRF payments made by Treasury to local governments and Tribes are not subject to the requirement of 2 CFR 200.305(b)(8)-(9) to maintain balances in an interest-bearing account and remit payments to Treasury.

- 10.4. Is there a deadline to apply for funds? [5/27]

The Interim Final Rule requires that costs be incurred by December 31, 2024. Eligible recipients are encouraged to apply as soon as possible. For recipients other than Tribal governments, there is not a specific application deadline.

Tribal governments do have deadlines to complete the application process and should visit www.treasury.gov/SLFRPTribal for guidance on applicable deadlines.

11. Operations

- 11.1. How do I know if my entity is eligible?

The Coronavirus State and Local Fiscal Recovery Funds American Rescue Plan Act of 2021 set forth the jurisdictions eligible to receive funds under the program, which are:

- States and the District of Columbia
- Territories
- Tribal governments
- Counties
- Metropolitan cities (typically, but not always, those with populations over 50,000)
- Non-entitlement units of local government, or smaller local governments (typically, but not always, those with populations under 50,000)

11.2. How does an eligible entity request payment?

Eligible entities (other than non-entitlement units) must submit their information to the Treasury Submission Portal. Please visit the Coronavirus State and Local Fiscal Recovery Fund website for more information on the submission process.

11.3. I cannot log into the Treasury Submission Portal or am having trouble navigating it. Who can help me?

If you have questions about the Treasury Submission Portal or for technical support, please email covidreliefitsupport@treasury.gov.

11.4. What do I need to do to receive my payment?

All eligible payees are required to have a DUNS Number previously issued by Dun & Bradstreet (<https://www.dnb.com/>).

All eligible payees are also required to have an active registration with the System for Award Management (SAM) (<https://www.sam.gov>).

And eligible payees must have a bank account enabled for Automated Clearing House (ACH) direct deposit. Payees with a Wire account are encouraged to provide that information as well.

More information on these and all program pre-submission requirements can be found on the Coronavirus State and Local Fiscal Recovery Fund website.

11.5. Why is Treasury employing id.me for the Treasury Submission Portal?

ID.me is a trusted technology partner to multiple government agencies and healthcare providers. It provides secure digital identity verification to those government agencies and healthcare providers to make sure you're you – and not someone pretending to be you – when you request access to online services. All personally identifiable information provided to ID.me is encrypted and disclosed only with the express consent of the user. Please refer to ID.me Contact Support for assistance with your ID.me account. Their support website is <https://help.id.me>.

11.6. Why is an entity not on the list of eligible entities in Treasury Submission Portal?

The ARP statute lays out which governments are eligible for payments. The list of entities within the Treasury Submission Portal includes entities eligible to receive a direct payment of funds from Treasury, which include states (defined to include the District of Columbia), territories, Tribal governments, counties, and metropolitan cities.

Eligible non-entitlement units of local government will receive a distribution of funds from their respective state government and should not submit information to the Treasury Submission Portal.

If you believe an entity has been mistakenly left off the eligible entity list, please email SLFRP@treasury.gov.

11.7. What is an Authorized Representative?

An Authorized Representative is an individual with legal authority to bind the government entity (e.g., the Chief Executive Officer of the government entity). An Authorized Representative must sign the Acceptance of Award terms for it to be valid.

11.8. How does a Tribal government determine their allocation?

Tribal governments will receive information about their allocation when the submission to the Treasury Submission Portal is confirmed to be complete and accurate.

11.9. How do I know the status of my request for funds (submission)?

Entities can check the status of their submission at any time by logging into [Treasury Submission Portal](#).

11.10. My Treasury Submission Portal submission requires additional information/correction. What is the process for that?

If your Authorized Representative has not yet signed the award terms, you can edit your submission with in the into [Treasury Submission Portal](#). If your Authorized Representative has signed the award terms, please email SLFRP@treasury.gov to request assistance with updating your information.

11.11. My request for funds was denied. How do I find out why it was denied or appeal the decision?

Please check to ensure that no one else from your entity has applied, causing a duplicate submission. Please also review the list of all eligible entities on the [Coronavirus State and Local Fiscal Recovery Fund website](#).

AS OF MAY 27, 2021

If you still have questions regarding your submission, please email SLFRP@treasury.gov.

11.12. When will entities get their money?

Before Treasury is able to execute a payment, a representative of an eligible government must submit the government's information for verification through the [Treasury Submission Portal](#). The verification process takes approximately four business days. If any errors are identified, the designated point of contact for the government will be contacted via email to correct the information before the payment can proceed. Once verification is complete, the designated point of contact of the eligible government will receive an email notifying them that their submission has been verified. Payments are generally scheduled for the next business day after this verification email, though funds may not be available immediately due to processing time of their financial institution.

11.13. How does a local government entity provide Treasury with a notice of transfer of funds to its State?

For more information on how to provide Treasury with notice of transfer to a state, please email SLRedirectFunds@treasury.gov.

**Report of the Department of Public Works
June 1, 2021**

Water

We continued with our meter setter and meter replacement project during the last month. We are on track to meet our goal of replacing one-quarter of the Town's meters this year.

We experienced no water breaks on water related issues this past month.

Sewer

We encountered a serious issue with our sewer lateral camera. I contacted our supplier and camera IT Company for some help. This camera is approximately 15 years old and the manufacture has discontinued this model and no repair parts are available.

The Town Manager authorized purchase of a replacement camera. The deliver date for the new camera has not been established because of COVID-related delays in the supply chain.

We are on the waiting list to receive the new lateral camera when it becomes available.

General Information

We received responsive 5 bids for this year's Milling & Paving Projects. Stuart M Perry was the low bidder and was awarded the contract.

Perry has completed all the paving and line markings that was required in the contracts. They are in the process of reestablishing the shoulders, and should have them completed by June 4th.

Phase V of Hermitage Subdivision is now underway. Town staff is working with the contractor to make sure they abide by operation time restrictions and employ required erosion and sedimentation control measures.

Berryville Town Council Item Report Summary
June 8, 2021

Item Title

Staff Reports - Public Utilities

Prepared By

Background/History/General Information

The utility plants continue to produce a quality product for Town customers. The Water Facility has delivered 10,798 MG to the distribution system with a daily average production of 0.432 MGD. The Wastewater Facility has treated a total of 8.69 MG with a daily average of 0.28 MGD.

Findings/Current Activity

Water Treatment Facility

We have been noticing increased demand in the water system with production hours being increased through staffing changes and some overtime the end of May to make up for a sudden large increase in usage. We are expanding plant operations to 19 hours per day Monday through Wednesday with no over time and 18 hours Thursday and Friday with two total hours of overtime each day. If we need to further increase operations we will look at going to 24 hour operations for a few days each week. We did have need of going to 24-hour operation from 0600 Thursday May 27th through Saturday May 30 until 1400 and added an extra shift on Sunday May 30 to catch up with usage.

We have cleaned the river intake with the assistance of Public Works sending down the jetter and an operator, and had the air compressors repaired by the regional factory reps.

River water levels are high enough that we have no concerns at this time over drought.

Wastewater Facility

The Wastewater plant is running well per data received to date. The rains in May have had little effect on the operations with only a minor short lived spike in flows the end of May.

We have made repairs to aircour blower #4, rebuilt air control valve CV-417, and had the RAS system become air locked overnight on the 24th causing a failure of the membranes with minor damage to train 4 and shutting down the facility for several hours until we could clear excessive solids from the membrane trains and reprime the RAS pumps. We have completed hypo recovery cleans of trains 1, 2 and 3 with train 4 coming soon once repairs are made.

Our crane has developed a few mechanical issues found during the required yearly factory inspection. These issues include the bolts on the upper rails coming loose, likely from temperature changes and metal contraction and expansion over the years, cable maintenance that is needed, and an issue that developed with the clutch breaking system the day prior to the inspection. Arrangements are being made for the repair of the crane and include a laser alignment of the traveling rails, and a rebuild of the clutch brake so that needed repairs to membrane train 4 can be completed safely.

We do have an issue with our treatment that I have never seen before. We have developed an infestation of leaches in our biotanks. While I have never seen this before, we do not think it poses a threat to the treatment process or equipment but we are very aware of their presence when working with the biosolids and especially the membrane cartridges.

260,800 gallons of biosolids have been processed for disposal in May

Attached for review are the data sheets from the Water Treatment Facility page #1 MOR and the DMR data sheet for the Wastewater Facility. Not all data has been received from or contract lab and the data has not received the final review for state reporting.

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. 2021-05 Council Report Attachment

Recommendation

Sample Motion

Berryville STP Monthly DMR Data

May 2021

Date	Effluent Flow MGD	Eff pH SU	Eff Temp Deg C	Eff CBOD mg/l	Eff CBOD KG/D	Eff TSS mg/l	Eff TSS KG/D	Effluent DO River mg/l	Effluent DO WWTP mg/l	Eff NO2 / NO3 mg/l	Eff TKN mg/l	Eff TKN KG/D	Eff Total N mg/l
5/1/2021	0.281	7.4	19.2						8.7				
5/2/2021	0.294	7.4	19.2						7.7				
5/3/2021	0.278	7.2	19.4						8.2				
5/4/2021	0.285	7.3	20.0	4.00	4.31				8.4				
5/5/2021	0.280	7.3	20.5						7.6				
5/6/2021	0.294	7.2	19.5	3.00	3.34			9.8	8.6	1.07	1.07	1.19	2.14
5/7/2021	0.278	7.3	19.5						7.7				
5/8/2021	0.270	7.3	19.1						9.0				
5/9/2021	0.242	7.5	18.5						8.8				
5/10/2021	0.330	7.6	18.4	4.00	5.00				8.1	0.83	1.10	1.37	1.93
5/11/2021	0.423	7.4	18.4	3.00	4.80				8.5				
5/12/2021	0.279	7.3	18.1						8.2				
5/13/2021	0.317	7.3	18.6	4.00	4.80	0.00	0.00	9.8	7.5	1.07	1.31	1.57	2.38
5/14/2021	0.270	7.4	18.3						8.3				
5/15/2021	0.255	7.4	18.8						7.8				
5/16/2021	0.274	7.4	19.5						8.7				
5/17/2021	0.312	7.4	19.3	2.00	2.36				7.9	1.66	1.67	1.97	3.33
5/18/2021	0.265	7.3	19.9	1.00	1.00				7.7				
5/19/2021	0.257	7.4	20.2						7.3				
5/20/2021	0.254	7.3	20.6	6.00	5.77			9.4	7.9	0.88	1.16	1.12	2.04
5/21/2021	0.193	7.3	21.0						7.3				
5/22/2021	0.181	7.4	22.1						8.0				
5/23/2021	0.231	7.4	22.7						8.2				
5/24/2021	0.337	7.4	22.4	6.00	7.65				6.8	2.11	1.13	1.44	3.24
5/25/2021	0.280	7.0	22.0	5.00	5.30				7.0				
5/26/2021	0.285	7.3	22.2						7.5				
5/27/2021	0.288	7.4	22.5					8.6	7.0				
5/28/2021	0.349	7.5	23.1						7.4				
5/29/2021	0.277	7.4	22.1						8.7				
5/30/2021	0.253	7.4	22.2						7.1				
5/31/2021	0.278	7.5	18.2						8.2				
Minimum	0.18	7.0	18.1	1.00	1.00	0.00	0.00	8.6	6.8	0.83	1.07	1.12	1.93
Maximum	0.42	7.6	23.1	6.00	7.65	0.00	0.00	9.8	9.0	2.11	1.67	1.97	3.33
Total	8.69	228.1	625.5	38.00	44.34	0.00	0.00	37.6	245.8	7.62	7.44	8.67	16.06
Average	0.28	7.4	20.2	3.80	4.43	0.00	0.00	9.4	7.9	1.27	1.24	1.44	2.51
Geo Mean	0.28	7.4	20.1	3.40	3.95	1.00	1.00	9.4	7.9	1.20	1.2	1.42	2.45

Berryville STP Monthly DMR Data

May 2021

Date	Eff Total N KG/D	Eff Total P mg/l	Eff Total P KG/D	E-Coli No/100ml
5/1/2021				
5/2/2021				
5/3/2021				
5/4/2021				1
5/5/2021				
5/6/2021	2.39	0.40	0.45	1
5/7/2021				
5/8/2021				
5/9/2021				
5/10/2021	2.41	0.19	0.24	1
5/11/2021				1
5/12/2021				
5/13/2021	2.86	0.23	0.28	1
5/14/2021				
5/15/2021				
5/16/2021				
5/17/2021	3.94	0.06	0.07	1
5/18/2021				1
5/19/2021				
5/20/2021	1.96	0.09	0.09	1
5/21/2021				
5/22/2021				
5/23/2021				
5/24/2021	4.14	0.17	0.22	1
5/25/2021				1
5/26/2021				
5/27/2021				
5/28/2021				
5/29/2021				
5/30/2021				
5/31/2021				
Minimum	1.96	0.06	0.07	1
Maximum	4.14	0.40	0.45	1
Total	17.70	1.14	1.33	10
Average	2.95	0.19	0.23	1
Geo Mean	2.84	0.16	0.18	1

Flows and Chemical Dosages

May 2021
 No. Connections Served: 1738
 Population Served: 4185

DATE	Raw Water Treated MGD	Finished Water Produced MGD	Finished Water Delivered MGD	Hours in Service	Alum		Carbon		Chlorine		Fluoride		Polymer		KHM04		Soda Ash		Chlorine		Corr Inhibitor		
					Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day
1	0.339		0.307	9.5	36	12.6	1	0.3															
2																							
3	0.517		0.452	14.5	45	10.4	5	1.2			5.0	1.16	0.032	0.097	3.0	0.7							
4	0.521		0.472	14.8	46	10.5	2	0.4			4.8	1.11	0.063	0.015	3.9	0.9							
5	0.511		0.447	14.3	50	11.7	2	0.4			5.5	1.29	0.068	0.016	3.8	0.9							
6	0.474		0.422	13.3	40	10.1	2	0.4			5.1	1.29	0.059	0.015	3.5	0.9							
7	0.453		0.414	12.8	60	15.9	3	0.8			4.8	1.27	0.021	0.006	3.4	0.9							
8																							
9	0.471		0.360	14.5	56	14.2	2	0.4			5.3	1.35	0.070	0.018	4.3	1.1							
10	0.538		0.484	16.0	61	13.6	2	0.5			9.2	2.05	0.070	0.016	4.7	1.0							
11	0.544		0.468	15.4	66	14.5	2	0.4			2.6	0.57	0.070	0.015	4.9	1.1							
12	0.534		0.464	15.2	66	14.8	2	0.4			5.9	1.32	0.070	0.016	4.8	1.1							
13	0.528		0.469	15.6	61	13.8	2	0.4			5.6	1.27	0.070	0.016	4.8	1.0							
14	0.188		0.162	5.9	25	16.2	0	0.3			2.1	1.34	0.024	0.015	1.7	1.1							
15																							
16	0.545		0.495	15.3	46	10.0	3	0.7			5.0	1.10	0.073	0.016	4.5	1.0							
17	0.579		0.503	15.5	61	12.6	2	0.4			6.3	1.31	0.071	0.015	4.6	1.0							
18	0.561		0.513	16.0	56	11.9	2	0.4			9.8	2.10	0.075	0.016	5.2	1.1							
19	0.531		0.459	14.0	55	12.4	2	0.5			2.1	0.47	0.057	0.013	4.5	1.0							
20	0.535		0.485	14.5	46	10.2	2	0.4			5.9	1.33	0.071	0.016	4.7	1.1							
21																							
22	0.245		0.209	6.5	15	7.4	1	0.4			2.6	1.25	0.035	0.017	2.1	1.0							
23	0.433		0.366	13.0	35	9.8	2	0.4			3.3	0.91	0.070	0.019	4.2	1.2							
24	0.498		0.436	15.0	51	12.2	1	0.2			5.5	1.33	0.062	0.015	4.9	1.2							
25	0.501		0.438	15.5	46	10.9	2	0.5			9.0	2.15	0.061	0.015	5.0	1.2							
26	0.647		0.569	18.5	66	16.0	2	0.4			4.0	0.74	0.083	0.015	6.6	1.2							
27	0.066		0.585	18.5	66	120.7	3	4.8			7.7	14.10	0.100	0.183	6.0	1.0							
28	0.386		0.346	13.0	35	11.0	2	0.5			4.2	1.30	0.055	0.017	4.2	1.3							
29	0.500		0.441	13.8	50	12.0	2	0.5			16.7	4.00	0.320	0.077	4.5	1.1							
30																							
31																							
Total	11.644	0.000	10.798	354.1	1258	415.6	48	15.7	0.0	0.00	141.5	47.4	1.79	0.601	106	35.9	0.0	0.00	387.0	130.84	0.0	0.00	
Maximum	0.647	0.000	0.585	20.0	86	120.7	5	4.8	0.0	0.00	16.7	14.1	0.32	0.183	7	11.0	0.0	0.00	21.5	38.36	0.0	0.00	
Minimum	0.066	0.000	0.162	5.9	15	7.4	0	0.2	0.0	0.00	2.1	0.5	0.02	0.006	2	0.7	0.0	0.00	6.5	1.46	0.0	0.00	
Average	0.466	0.000	0.432	14.2	50	16.6	2	0.6	#DIV/0!	#DIV/0!	5.7	1.9	0.07	0.024	4	1.4	#DIV/0!	#DIV/0!	15.5	5.23	#DIV/0!	#DIV/0!	

SIGNED: (OPERATOR IN RESPONSIBLE CHARGE) _____ RAW WATER SOURCE(S) USED DURING MONTH: (SOURCE/DATES) _____

PRINTED NAME: David A Tyrell

Shenandoah River - Entire Month

TITLE: OPERATOR CLASSIFICATION: Class 1
 DPOR CERTIFICATION NO.: 1955002813

**Berryville Town Council Item Report Summary
June 8, 2021**

Item Title

Staff Reports - Police Department

Prepared By

Background/History/General Information

Monthly Activity Report

The activity report for the month of May 2021 is attached to this memo.

Public Safety Committee

The Public Safety Committee did not meet in May 2021.

Staffing

Officer Don Mason will be leaving the department effective June 19, 2021 to take a position with the Clarke County Sheriff's Office. Officer Mason came to the department in 2016 and has been an integral part of this team. The department is currently taking applications in order to fill this position.

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. Copy of Police and Security Report May 2021

Recommendation

Sample Motion



BERRYVILLE POLICE DEPARTMENT

101 Chalmers Ct., Suite A, Berryville VA 22611

(T) 540.955.3863 (F) 540.955.0207

policeadmin@berryvilleva.gov

W. Neal White – Chief of Police

Police and Security Report

	Year To Date	May	April
Month/Year: May 2021	2021	2021	2021
<u>Complaints Answered</u>			
911 Hang Up:	5	3	0
Alarms:	44	7	11
Animal Complaint:	39	7	13
Assault:	10	3	1
Assist County:	16	7	1
Assist EMS and Fire:	68	14	9
Auto Larceny:	1	1	0
Burglary:	0	0	0
Civil Complaints:	27	6	9
Disturbance:	11	5	0
Domestic Disturbance:	10	1	2
Driving Under the Influence	2	1	1
Drunk In Public:	2	0	0
Fraud:	10	2	1
Larceny:	21	3	2
Harassment/Intimidation:	13	1	4
Homicide:	0	0	0
Identity Theft	7	2	1
Juvenile Related:	10	4	1
Mental Health Crisis:	32	8	8
Narcotics Related:	2	1	0
Noise:	28	3	7
Public Service:	4	1	0
Sexual Assault:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Suspicious Activity:	56	10	14
Trespassing:	9	3	0
Vandalism:	31	6	4
Welfare Check:	45	8	13
Miscellaneous Complaints:	208	48	46
Total Complaints Answered:	711	155	148



BERRYVILLE POLICE DEPARTMENT

101 Chalmers Ct., Suite A, Berryville VA 22611

(T) 540.955.3863 (F) 540.955.0207

policeadmin@berryvilleva.gov

W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date 2021	May 2021	April 2021
<u>Traffic</u>			
Accidents Investigated:	21	8	0
Assist Motorist:	0	0	0
Child Safety Seat Install:	7	0	2
Funeral Escort:	9	3	3
Hit & Run:	8	2	1
Parking Tickets:	51	17	13
Traffic Warnings:	42	14	11
<u>Traffic Summons Issued</u>			
Defective Equipment:	0	0	0
Driving Suspended:	1	0	1
Expired Inspection:	5	4	1
Expired Registration:	1	0	1
Fail to Obey Highway Sign:	20	3	15
Fail to Obey Traffic Signals:	1	0	0
Fail to Stop/Lights & Siren:	0	0	0
Fail to Yield Right of Way:	6	1	5
Hit and Run:	1	0	0
No Liability Insurance:	0	0	0
No Operator's License:	2	2	0
No Seat Belt:	0	0	0
Reckless Driving:	4	1	2
Speeding:	19	11	1
Miscellaneous Summons:	6	3	0
Total Traffic Summons Issued:	66	25	26
<u>Found Open at Businesses in Town</u>			
Doors:	8	2	2
Windows:	0	0	0
Garage Doors:	0	0	0



BERRYVILLE POLICE DEPARTMENT

101 Chalmers Ct., Suite A, Berryville VA 22611

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W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date	May	April
	2021	2021	2021
<u>Criminal Arrests Made</u>			
Abduction:	0	0	0
Arson:	0	0	0
Assault and Battery:	5	0	2
Assault and Battery on Police Officer:	0	0	0
Auto Larceny:	0	0	0
Breaking and Entering:	0	0	0
Capias:	2	0	0
Disorderly Conduct:	1	0	0
Driving Under the Influence:	3	2	1
Drunk In Public:	2	0	0
Fail to Obey Police Officer:	0	0	0
Fail to Pay Parking Ticket:	0	0	0
Forgery:	0	0	0
Fraud:	0	0	0
Homicide:	0	0	0
Illegal Drugs/Paraphernalia:	0	0	0
Larceny:	0	0	0
Possess Alcohol Underage:	0	0	0
Protective Order Violations:	1	0	0
Rape:	0	0	0
Resisting Arrest:	0	0	0
Robbery:	0	0	0
Shoplifting:	0	0	0
Trespassing:	1	0	0
Vandalism:	2	0	2
Weapons Violation:	0	0	0
Miscellaneous Criminal Arrests:	13	2	0
Juvenile Detention Order Totals:	1	0	1
Total Criminal Arrests:	31	4	6



BERRYVILLE POLICE DEPARTMENT

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 W. Neal White – Chief of Police

Police and Security Report (Continued)

	Year To Date 2021	May 2021	April 2021
<u>Response to Resistance</u>			
Total Community Interface	734	155	148
Total Enforcement Contacts	102	38	44
Physical Custody	16	1	7
Reported Force Involved	0	0	0
Administrative Review - Justified	0	0	0
Administrative Review - Not Justified	0	0	0
Complaint of Injury - Arrestee	0	0	0
Medical Treatment for Injury - Arrestee	0	0	0
Complaint of Injury - Officer	0	0	0
Medical Treatment for Injury - Officer	0	0	0
<u>Type of Force Involved</u>			
Compliance Hold / Open Hands	0	0	0
Takedown	0	0	0
Strikes (Hands / Knees)	0	0	0
Chemical Sprays (O.C.)	0	0	0
Impact Weapon (Baton)	0	0	0
Mechanical Non-Lethal	0	0	0
Firearm	0	0	0
<u>Arrestee Demographics</u>			
White Male	12	1	3
Black Male	0	0	1
Other Male	0	0	0
White Female	1	0	3
Black Female	4	0	0
Other Female	0	0	0

**Berryville Town Council Item Report Summary
June 8, 2021**

Item Title

Community Development - Community Development Update

Construction Project Update

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. ComDev

Recommendation

Sample Motion

Town Council Agenda Item Report Summary

June 8, 2021

Item Title

Community Development Update

Prepared By

Christy Dunkle

Planning Commission

The Planning Commission did not hold a meeting in May. Their next meeting is scheduled for Tuesday, June 22, at 7:00 p.m.

Berryville Area Development Authority

The BADA held a meeting on Wednesday, May 26. They adopted a resolution for an update to the Berryville Area Plan. Their next meeting is scheduled for Wednesday, June 23 at 7:00 p.m.

Architectural Review Board

The Architectural Review Board held a meeting on Wednesday, May 5, 2021 and discussed the following item:

Sign Review

Forrest Pritchard, Applicant, is requesting a Certificate of Appropriateness for signage and a mural for RSP Enterprises/Smith Meadows at the property located at 20 West Main Street, identified as Tax Map Parcel number 14A5-((A))-1 zoned C General Commercial. *Approved as presented.*

The next Architectural Review Board meeting is scheduled for Wednesday, July 7, at 12:30 p.m.

Tree Board

The Tree Board will be meeting on Wednesday, July 7, 2021 at 7:00 p.m.

Board of Zoning Appeals

The BZA has not held a meeting since the last Council meeting.

Town Council Agenda Item Report Summary

June 8, 2021

Item Title

Construction Project Update

Prepared By

Christy Dunkle

Shenandoah Crossing Subdivision

- 82 single-family homes
- Owned by D.R. Horton, Inc.
- To be developed by D.R. Horton, Inc.
- Zoned DR-2 Detached Residential
- Cluster layout
- HOA-maintained facilities
- Utility and paving installation under way
- Home construction and sales underway

Fellowship Square Subdivision

- 50 single-family homes
- Zoned DR-4 Detached Residential
- Cluster layout
- HOA maintained facilities
- The first Certificate of Occupancy and sale occurred in November
- Fairfax Street opened to the public on December 14, 2020 and now connects First Street to North Buckmarsh Street
- 49 lots are either completed, under construction, or have grading plans submitted for review (the parking lot for the sales home is the only lot without applications submitted)

Hermitage Phase V

- 71 single-family homes
- Final phase of Hermitage subdivision (started 2000)
- Zoned R-1 and DR-1
- Rezoning approved by Town Council at the September 10, 2019 meeting to align new layout with proposed parcel lines
- Phase V will have HOA oversight, other phases will not be affected
- Review of construction plans completed
- Property purchased by D.R. Horton, Inc. in March 2021
- Pre-construction meeting was held on April 8, 2021
- Land disturbance permit has been issued and work has begun on the storm water management facilities
- Pre-blast surveys have been completed

Cash Balance Report

Period Ending 5/31/2021

Town of Berryville
6/2/2021 4:53 PM

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Bank 1	Bank of Clarke Operating Acct#- 1138499		
	Account		Balance
	100-1140000-0000 B/C OPR		-\$37,608.03
	501-1140000-0000 B/C OPR		\$3,410.12
	502-1140000-0000 B/C OPR		-\$9,688.84
		Bank 1	Total:
			-\$43,886.75
Bank 2	Bank of Clarke NOW Acct#- 1138502		
	Account		Balance
	100-1149000-0000 B/C NOW		\$3,285,389.45
	501-1149000-0000 B/C NOW		\$1,559,854.34
	502-1149000-0000 B/C NOW		\$4,435,855.83
		Bank 2	Total:
			\$9,281,099.62
Bank 3	Bank of Clarke Payroll Acct#- 1139510		
	Account		Balance
	100-1121000-0000 CASH/ BC PAYROLL		\$40,040.66
	501-1121000-0000 CASH/BC PAYROLL		\$0.00
	502-1121000-0000 CASH/BC PAYROLL		\$0.00
		Bank 3	Total:
			\$40,040.66
Bank 4	Bank of Clarke CIP Acct#- 1138405		
	Account		Balance
	100-1123000-0000 BC/CIP CD		\$547,731.10
	501-1123000-0000 BC/CIP		\$2,051,156.28
	502-1123000-0000 BC/CIP		\$3,270,109.65
		Bank 4	Total:
			\$5,868,997.03
Bank 5	Bank of Clarke SW Acct#- 1138413		
	Account		Balance
	100-1128000-0000 BC/SWMGT CD		\$463,400.82
		Bank 5	Total:
			\$463,400.82
Bank 6	Bank of Clarke PDAF Acct#- 1138421		
	Account		Balance
	100-1131000-0000 PD ASSET FORFEITURE		\$5,812.46
		Bank 6	Total:
			\$5,812.46
Bank 7	Bank of Clarke DSR Acct#- 1138456		
	Account		Balance
	100-1124000-0000 BC/RDA DEBT SER RES		\$111,273.23
		Bank 7	Total:
			\$111,273.23
Bank 8	Bank of Clarke PPTRA Acct#- 1138464		
	Account		Balance

Cash Balance Report

Period Ending 5/31/2021

Town of Berryville
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	100-1125000-0000 BC/PPTRA RES	\$403,489.39
	501-1125000-0000 BC/PPTRA RESERVE	\$0.00
	502-1125000-0000 BC/PPTRA RESERVE	\$0.00
	Bank 8	Total: \$403,489.39
Bank 9	Bank of Clarke RAU Acct#- 1138472	
	Account	Balance
	100-1145000-0000 BCC Rau Account	\$944.20
	Bank 9	Total: \$944.20
Bank 10	Bank of Clarke VRA Reserve Acct#- 6041647	
	Account	Balance
	502-1155000-0000 BC/VRA Reserve Account	\$470,001.00
	Bank 10	Total: \$470,001.00
Bank 11	Bank of Clarke Proffer Reserve Acct#- 1897098	
	Account	Balance
	100-1126000-0000 Cash BC/Proffers Reserve	\$90,460.58
	501-1126000-0000 CASH/BC Proffers Reserve	\$0.00
	502-1126000-0000 CASH/BC Proffers Reserve	\$0.00
	Bank 11	Total: \$90,460.58
Bank 12	Bank of Clarke Performance Bonds Acct#- 1910841	
	Account	Balance
	100-1135000-0000 B/C PERFORMANCE BONDS	\$11,293.55
	Bank 12	Total: \$11,293.55
Bank 13	BB&T Acct#- 5137523525	
	Account	Balance
	100-1130000-0000 CASH/BB&T MM+	\$68,517.41
	501-1130000-0000 CASH/BB&T MM+	\$0.00
	502-1130000-0000 CASH/BB&T MM+	\$0.00
	Bank 13	Total: \$68,517.41
Bank 14	Bank of Clarke PD Contributions Acct#- 5759859	
	Account	Balance
	100-1133000-0000 PD Contributions	\$2,357.49
	Bank 14	Total: \$2,357.49
Bank 15	Bank of Clarke PSN Refund/Pmt. Acct. Acct#- 6079334	
	Account	Balance
	100-1146000-0000 BC PSN Refund Acct	\$0.00
	Bank 15	Total: \$0.00
Bank 16	Bank of Clarke PSN Dep. Acct Acct#- 6079326	
	Account	Balance

Cash Balance Report
Period Ending 5/31/2021

Town of Berryville
6/2/2021 4:53 PM

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100-1147000-0000 BC PSN Deposit Acct	-	\$30.42	
501-1147000-0000 BC PSN Deposit Acct.		\$10.65	
502-1147000-0000 BC PSN Deposit Acct.		\$19.77	
	Bank 16	Total:	\$0.00

Total Cash Balance:	\$16,773,800.69
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Check Listing

Date From: 5/1/2021 Date To: 5/31/2021

Vendor Range: 4IMPRINT, INC. - ZENON ENVIRONMENTAL CORPORATION

Town of Berryville
06/02/2021 04:50 PM

Page: 1 of 2

Check Number	Bank	Vendor	Date	Amount
6667	1	Bureau for Child Support Enforcement	05/03/2021	\$875.00
6668	1	D R HORTON INC	05/03/2021	\$63.90
6669	1	Douglas A. Shaffer	05/03/2021	\$40.00
6670	1	Gwen Malone	05/03/2021	\$40.00
6671	1	Michelle K. Marino	05/03/2021	\$40.00
6672	1	PRINTELECT	05/03/2021	\$418.37
6673	1	RYAN PATRICK TIBBENS	05/03/2021	\$40.00
6674	1	Sheryl Reid	05/03/2021	\$40.00
6675	1	The Hall Company	05/03/2021	\$2,070.56
6676	1	VIRASEC IT Support Services, Inc.	05/03/2021	\$3,381.91
6677	1	ANN LEVI	05/07/2021	\$155.00
6678	1	CENTRIC BUSINESS SYSTEMS INC	05/07/2021	\$214.96
6679	1	CLARKE COUNTY GENERAL DISTRICT COURT	05/07/2021	\$120.00
6680	1	Douglas A. Shaffer	05/07/2021	\$75.00
6681	1	Elizabeth Pritchard	05/07/2021	\$155.00
6682	1	H. Allen Kitselman	05/07/2021	\$75.00
6683	1	Keith Dalton	05/07/2021	\$50.00
6684	1	Melissa S. Brown	05/07/2021	\$230.00
6685	1	Nationwide Retirement Solutions	05/07/2021	\$715.00
6686	1	STURGIS WEB SERVICES	05/07/2021	\$180.00
6687	1	TOYOTA MOTOR CREDIT CORP 07 4792	05/07/2021	\$470.88
6688	1	Treasurer of Clarke County	05/07/2021	\$156,936.00
6689	1	Treasurer of Frederick County	05/07/2021	\$6,448.60
6690	1	USPS	05/07/2021	\$150.00
6691	1	William Bigelow	05/07/2021	\$165.00
6692	1	ANDERSON LAWN CARE, INC.	05/12/2021	\$825.00
6693	1	Bureau for Child Support Enforcement	05/12/2021	\$875.00
6694	1	COMBS WASTEWATER MANAGEMENT LLC	05/12/2021	\$75.00
6695	1	CORE & MAIN LP	05/12/2021	\$37,637.60
6696	1	Hall, Monahan, Engle, Mahan & Mitchell	05/12/2021	\$2,315.00
6697	1	Municipal Code Corporation	05/12/2021	\$650.00
6698	1	Nationwide Retirement Solutions	05/12/2021	\$740.00

Check Listing

Date From: 5/1/2021 Date To: 5/31/2021

Vendor Range: 4IMPRINT, INC. - ZENON ENVIRONMENTAL CORPORATION

Town of Berryville
06/02/2021 04:50 PM

Page: 2 of 2

Check Number	Bank	Vendor	Date	Amount
6699	1	Treasurer of Clarke County	05/12/2021	<u>\$17,500.00</u>
6700	1	VUPS	05/12/2021	<u>\$204.75</u>
6701	1	ATLANTIC CONSTRUCTION CO LLC	05/26/2021	<u>\$715.00</u>
6702	1	Bureau for Child Support Enforcement	05/26/2021	<u>\$875.00</u>
6703	1	ELECTION SYSTEMS AND SOFTWARE	05/26/2021	<u>\$1,318.10</u>
6704	1	HEATHER SPRAGUE	05/26/2021	<u>\$187.63</u>
6705	1	JAIMI M HECHT	05/26/2021	<u>\$172.21</u>
6706	1	Lewin Asphalt, Inc	05/26/2021	<u>\$991.41</u>
6707	1	Michelle M. Jones	05/26/2021	<u>\$910.00</u>
6708	1	Minnesota Life Insurance Co.	05/26/2021	<u>\$239.48</u>
6709	1	The Hall Company	05/26/2021	<u>\$1,392.35</u>
6710	1	THE PERKINSON CO., INC.	05/26/2021	<u>\$932.00</u>
6711	1	Treasurer of Clarke County	05/26/2021	<u>\$25,203.00</u>
6712	1	TREVOR KEBDY	05/26/2021	<u>\$124.76</u>
6713	1	VIRASEC IT Support Services, Inc.	05/26/2021	<u>\$4,283.86</u>
47 Checks Totaling -				<u>\$271,317.33</u>

Totals By Fund

Fund	Checks	Voids	Total
100	\$224,611.90		\$224,611.90
501	\$39,792.03		\$39,792.03
502	\$6,913.40		\$6,913.40
Totals:	\$271,317.33		\$271,317.33

001000471529120163723720210531



BERRYVILLE TOWN OF
May 01, 2021 - May 31, 2021

Purchasing Card

Company Statement

Account Information	Payment Information	Account Summary
Mail Billing Inquiries to: BANKCARD CENTER PO Box 660441 Dallas, TX 75266-0441 TTY Hearing Impaired: Dial "711" Outside the U.S.: 1.509.353.6656 24 Hours For Lost or Stolen Card: 1.888.449.2273 24 Hours	Statement Date 05/31/21 Payment Due Date 06/26/21 Days in Billing Cycle 31 Credit Limit \$500,000 Cash Limit \$0 Total Payment Due \$62,287.81	Previous Balance \$90,022.81 Payments -\$90,022.81 Credits \$0.00 Cash \$0.00 Purchases \$62,287.81 Other Debits \$0.00 Overlimit Fee \$0.00 Late Payment Fee \$0.00 Cash Fees \$0.00 Other Fees \$0.00 Finance Charge \$0.00 Current Balance \$62,287.81

Important Messages

Please do not send payment. Your automatic payment is scheduled to be credited to this account on 06/25/21.

Global Card Access – your card information whenever, wherever and however you need it. From the dashboard, you can quickly check your credit limit, balance, available credit and recent card activity. Other features like View PIN, Change PIN, Lock Card and Alerts help you keep your card secure. For added convenience, you can easily view or download your current statement up to 12 months of past statements. Visit www.bofa.com/globalcardaccess to register your card and start using Global Card Access today.

Cardholder Activity Summary

Account Number	Credits	Cash	Purchases and Other Debits	Total Activity
Credit Limit				

9002281 6228781 6228781 4715291201637237

BANK OF AMERICA
PO BOX 15731
WILMINGTON, DE 19888-5731

BERRYVILLE TOWN OF
STE A
101 CHALMERS CT
BERRYVILLE, VA 22611-1367

Account Number [REDACTED]
May 01, 2021 - May 31, 2021

Total Payment Due \$82,287.81
Payment Due Date 06/26/21

Enter payment amount
\$

Mail this coupon along with your check payable to:
BANK OF AMERICA

This is an electronic reproduction of your statement and may not contain all of the disclosures included with your original statement.

Posting payments: Payments received by mail at the remittance address shown on the Payment Coupon portion of the face of this statement on a banking day will be posted to your account on the day received. If we receive your mailed payment on a non-banking day, we will post it to your account on the next banking day. There may be a delay of up to 5 banking days in posting payments made at a location other than the mailing address listed on the front of your payment coupon.

Service for the hearing impaired (TTY/TDD): We accept calls made through relay services (dial 711).

Telephone monitoring: For the purposes of monitoring and improving the quality of service, Bank's supervisory personnel may listen to and/or record telephone calls between Bank employees and any person acting on Company's behalf.

In case of errors or questions about your bill: Errors or questions about your bill must be received in writing no later than 60 days after we sent you the first statement on which the error or problem appeared. Please mail this information to BANKCARD CENTER, PO BOX 860441, DALLAS, TX 75286-0441. Your letter must include the following information:

- The company name, cardholder name and account number in question.
- The dollar amount of the suspected error.
- A written description of the error and why you believe there is an error. If you need more information, describe the item you are unsure about.

Customer Service:	For questions regarding transactions, general assistance, and reporting lost and stolen cards, call:	
	<u>Within the U.S.</u> 1.888.449.2273	<u>Outside the U.S.</u> 1.609.353.6656 (collect calls accepted)

Thank you for your business.

Posting payments: Payments received by mail at the remittance address shown on the Payment Coupon portion of the face of this statement on a banking day will be posted to your account on the day received. If we receive your mailed payment on a non-banking day, we will post it to your account on the next banking day. There may be a delay of up to 5 banking days in posting payments made at a location other than the mailing address listed on the front of your payment coupon.

BERRYVILLE TOWN OF
 May 01, 2021 - May 31, 2021
 Page 3 of 6

Cardholder Activity Summary				
<i>Account Number Credit Limit</i>	<i>Credits</i>	<i>Cash</i>	<i>Purchases and Other Debits</i>	<i>Total Activity</i>
BOOR, RICK				
15,000	0.00	0.00	6,710.59	6,710.59
BOOTH, KEVIN				
1,000	0.00	0.00	43.98	43.98
BRAITHWAITE, JAY				
500	0.00	0.00	175.94	175.94
BUSSERT, ERNIE				
15,000	0.00	0.00	4,093.95	4,093.95
CULP, PAUL				
5,000	0.00	0.00	1,617.25	1,617.25
DORSEY, DANIEL				
500	0.00	0.00	121.00	121.00
DUNKLE, CHRISTY				
500	0.00	0.00	355.13	355.13
ELLIOTT, RALPH				
5,000	0.00	0.00	579.07	579.07
FERREBER, DARRELL				
500	0.00	0.00	107.71	107.71
GREEN, CONNOR				
500	0.00	0.00	28.23	28.23
HASH, RANDALI				
500	0.00	0.00	41.37	41.37
JOHNSON, KAREN				
1,000	0.00	0.00	28.46	28.46
LINK, BRIAN				
1,000	0.00	0.00	9.79	9.79
MCCORMICK, HARRY				
500	0.00	0.00	18.61	18.61
PETTY, ROMAN				
500	0.00	0.00	176.53	176.53
POULIN, CYNTHIA				
50,000	0.00	0.00	28,279.90	28,279.90
SHEETZ, CULLEN				
500	0.00	0.00	21.98	21.98
SHOREMOUNT, JOSEPH E				
500	0.00	0.00	78.50	78.50
STOVER, KEITH				
1,000	0.00	0.00	634.18	634.18
TYRRELL, DAVE				
35,000	0.00	0.00	15,972.90	15,972.90
WHITE, NEAL				
15,000	0.00	0.00	4,186.14	4,186.14

BERRYVILLE TOWN OF
 May 01, 2021 - May 31, 2021
 Page 4 of 6

Transactions						
Posting	Transaction					
Date	Date	Description	Reference Number	MCC	Charge	Credit
BERRYVILLE TOWN OF						Total Activity
Account Number: [REDACTED]						-\$90,022.81
05/25	05/25	AUTO PAYMENT DEDUCTION		0071		90,022.81
BOOR, RICK						Total Activity
Account Number: [REDACTED]						5,718.69
05/07	05/06	WWP*PEST MGMT SRVS. 703-723-2899 VA	24445001126300497716831	7342	74.00	
05/11	05/10	CORE & MAIN - WV004 304-283-8988 WV	24445001130300471161645	6074	2,683.79	
05/12	05/11	CORE & MAIN - WV004 304-263-6986 WV	24445001131300494154559	6074	2,379.08	
05/13	05/12	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971133091404000640	6251	69.73	
05/24	05/20	GRADUATE CHARLOTTESVILLE CHARLOTTESVILVA	24055221141036139200141	7011	123.50	
Arrival: 05/19/21						
05/24	05/20	GRADUATE CHARLOTTESVILLE CHARLOTTESVILVA	24055221141036139200133	7011	123.50	
Arrival: 05/19/21						
05/24	05/20	GRADUATE CHARLOTTESVILLE CHARLOTTESVILVA	24055221141036139200160	7011	123.50	
Arrival: 05/19/21						
05/24	05/20	GRADUATE CHARLOTTESVILLE CHARLOTTESVILVA	24055221141036139200141	7011	123.50	
Arrival: 05/19/21						
05/31	05/27	BERRYVILLE AUTO PARTS INC BERRYVILLE VA	24707891140762900141392	6593	17.99	
BOOTH, KEVIN						Total Activity
Account Number: [REDACTED]						43.98
05/18	05/17	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971138091404000025	6251	43.98	
BRAITHWAITE, JAY						Total Activity
Account Number: [REDACTED]						176.84
05/04	05/03	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801871124091406000102	6251	49.95	
05/12	05/11	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801871132091402000742	6251	4.99	
05/19	05/18	ABC-NV 913-8954600 KS	24270741138900014097164	8999	121.00	
BUSBERT, ERNIE						Total Activity
Account Number: [REDACTED]						4,093.96
05/05	05/04	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971125091408000356	6251	12.23	
05/06	05/04	COYNE CHEMICAL 215-785-3000 PA	24137461125500848628694	5169	637.20	
05/06	05/04	COYNE CHEMICAL 215-785-3000 PA	24137461125500848628748	5169	939.70	
05/10	05/07	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971128091404000027	6251	34.35	
05/12	05/11	USA BLUE BOOK 800-540-1234 IL	24940451131636000065476	6085	233.42	
05/20	05/10	COYNE CHEMICAL 215-785-3000 PA	24137461139500787590606	5169	717.20	
05/26	05/24	MCMASTER-CARR 630-834-0900 IL	24789301145760700125138	6085	107.65	
05/27	05/25	COYNE CHEMICAL 215-785-3000 PA	24137461146500784610133	5169	702.00	
05/27	05/25	COYNE CHEMICAL 215-785-3000 PA	24137461146500784610216	5169	710.20	
CULP, PAUL						Total Activity
Account Number: [REDACTED]						1,617.26
05/03	05/01	STAPLS7329562398000002 877-8267765 NJ	24164071122105970333509	6111	16.40	
05/05	05/04	STAPLS7328963228000001 877-8267765 NJ	24164071124105030422746	6111	4.07	
05/05	05/04	STAPLS7328963228000002 877-8267765 NJ	24164071124105970422748	6111	213.78	
05/10	05/08	STAPLS7330377457000001 877-8267765 NJ	24104071129105070444589	6111	63.15	
05/17	05/14	VISTAPR*VistaPrint.com 866-8938743 MA	24692161134100792588505	2741	28.32	
05/19	05/18	STAPLS7330978680000001 877-8267765 NJ	24164071138105170530740	6111	148.67	
05/24	05/21	VCU WEB CENTER PUBLIC POL804-8282292 VA	24765421142121429585811	8220	550.00	
05/24	05/21	VCU WEB CENTER PUBLIC POL804-8282292 VA	24765421142121429585829	8220	650.00	
05/31	05/29	STAPLS7331812269000001 877-8267765 NJ	24164071160105280365261	6111	65.06	
DORSEY, DANIEL						Total Activity
Account Number: [REDACTED]						121.00
05/10	05/08	ABC-NV 913-8954600 KS	24270741129900013021158	8999	121.00	
DUNKLE, CHRISTY						Total Activity
Account Number: [REDACTED]						366.13
05/05	05/04	LOWES #02724 WINCHESTER VA	24692161125100488362477	5200	265.16	
05/06	05/04	MEADOWS FARMS - WINC-22 640-7224141 VA	24073141125900017436382	6261	89.98	
ELLIOTT, RALPH						Total Activity
Account Number: [REDACTED]						679.67
05/17	05/14	SHERWIN WILLIAMS 705251 WINCHESTER VA	24043001134981000127397	6231	93.88	
05/18	05/17	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971138091404000017	6251	20.20	
05/19	05/18	SQ *CUSTOM T-SHIRTS CORP Winchester VA	24692161138100695476784	5499	31.59	
05/19	05/17	A SIGN PLACE/PERSONALIZE WINCHESTER VA	24223691138030031470999	5099	289.60	
05/19	05/16	SHERWIN WILLIAMS 705251 WINCHESTER VA	24043001138981000127906	6231	134.30	
FERRERBER, DARRELL						Total Activity
Account Number: [REDACTED]						107.71
05/10	05/07	BERRYVILLE AUTO PARTS INC BERRYVILLE VA	24707891129882200130337	6593	84.16	
05/18	05/17	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971138091404000066	6251	16.82	
05/18	05/17	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971138091404000074	6251	6.73	

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Transactions						
Posting	Transaction					
Date	Date	Description	Reference Number	MCC	Charge	Credit
GREEN, CONNOR						
Account Number: [REDACTED]						Total Activity
05/26	05/24	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971145091408000287	5251	26.23	
HASH, RANDALL						Total Activity
Account Number: [REDACTED]						41.37
05/06	05/04	BERRYVILLE AUTO PARTS INC BERRYVILLE VA	24707891125666500136828	5533	7.42	
05/19	05/18	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971139091406000105	5251	9.39	
05/21	05/19	ASADO WING AND TACO CO 434-2343486 VA	24000971140741906616358	5812	15.00	
05/24	05/20	SHEETZ 0837 0006379 CHARLOTTESVILVA	24164071141498000707730	5541	9.66	
JOHNSON, KAREN						Total Activity
Account Number: [REDACTED]						28.46
05/04	05/03	Amazon web services aws.amazon.coWA	24692161124100701506901	7399	0.61	
05/20	05/19	USPS PO 6107560300 BERRYVILLE VA	24137481140001383601282	9402	27.85	
LINK, BRIAN						Total Activity
Account Number: [REDACTED]						9.79
05/03	05/04	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971125091408000190	5251	9.79	
MCCORMICK, HARRY						Total Activity
Account Number: [REDACTED]						18.61
05/13	05/12	MARKET BASKET BERRYVILLE VA	24765421132271324328734	5499	11.63	
05/31	05/20	GIANT MARTINS #6558 BERRYVILLE VA	24692161148100114420016	5411	6.98	
PETTI, ROMAN						Total Activity
Account Number: [REDACTED]						176.63
05/21	05/10	ASADO WING AND TACO CO 434-2343488 VA	24000971140741906616895	5812	10.22	
05/24	05/21	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971142091402000104	5251	14.69	
05/31	05/29	TRACTOR-SUPPLY-CO #0897 WINCHESTER VA	24137481160001277020011	5599	151.62	
POULIN, OYNTIHA						Total Activity
Account Number: [REDACTED]						28,279.90
05/07	05/06	RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231681126747003786095	4900	10,000.00	
05/07	05/06	RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231681126747003786097	4900	5,770.58	
05/07	05/06	RAPPAHANNOCKELECTRICCOOP EBILL.MYREC.CVA	24231681126747003786061	4900	5,084.77	
05/10	05/06	IN *TRUESHRED 888-7608703 VA	24692161127100201728515	7399	54.00	
05/10	05/07	COMCAST 800-COMCAST MD	24692161127100399433301	4099	140.58	
05/10	05/07	COMCAST 800-COMCAST MD	24692161127100399433555	4099	114.32	
05/10	05/07	VERIZON*ONETIMEPAYMENT 800-VERIZON FL	24692161127100518992523	4814	402.39	
05/10	05/07	VERIZON*ONETIMEPAYMENT 800-VERIZON FL	24692161127100518992584	4814	168.09	
05/19	05/10	HIGHWAY MOTORS INC WINCHESTER VA	24755421139731399510981	6511	6,000.00	
05/21	05/20	REPUBLIC SERVICES TRASH 866-576-5548 AZ	24941681140083718459074	4900	125.00	
05/24	05/21	COMCAST 800-COMCAST MD	24692161141100895135609	4099	140.58	
05/24	05/21	VERIZONWRLSS*RTCCR VB 800-922-0204 FL	24692161141100755488270	4814	1,253.63	
SHEETZ, CULLEN						Total Activity
Account Number: [REDACTED]						21.88
05/17	05/14	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971135091408000610	5251	4.69	
05/21	05/19	ASADO WING AND TACO CO 434-2343486 VA	24000971140741906616879	5812	17.29	
SHOREMOUNT, JOSEPH E						Total Activity
Account Number: [REDACTED]						78.50
05/24	05/20	1668 JCS FREDRICKSBURG FREDERICKSBURVA	24943001141798979847127	6812	22.25	
05/24	05/20	COUNTRY INN AND SUITES FREDERICKSBURVA	24000971141747605038585	3829	56.25	
STOVER, KEITH						Total Activity
Account Number: [REDACTED]						634.18
05/06	05/05	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971126091400000197	5251	65.33	
06/10	05/07	NUTRIEN AG SOLUTION 2613 5408621742 VA	24231681127083341855395	0763	116.25	
05/10	05/07	LOWES #02724 WINCHESTER VA	24692161128100893122844	5200	143.84	
05/18	05/17	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971138091404000355	5251	36.82	
05/20	05/19	LOWES #02724 WINCHESTER VA	24692101139100534820708	5200	214.38	
05/24	05/21	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971142091402000195	5251	27.41	
05/28	05/27	BERRYVILLE TRUE VALUE BERRYVILLE VA	24801971148091404000084	5251	40.17	
TYRRELL, DAVE						Total Activity
Account Number: [REDACTED]						16,972.90
05/05	05/03	BERRYVILLE AUTO PARTS INC BERRYVILLE VA	24767891124681200124450	5533	37.88	
05/06	05/04	IN *JOINER LABS, LLC 540-3477212 VA	24692161125100738199596	8734	220.00	
05/08	05/04	IN *JOINER LABS, LLC 540-3477212 VA	24692161125100738199804	8734	220.00	
05/08	05/04	IN *JOINER LABS, LLC 540-3477212 VA	24692161125100738199812	8734	220.00	
05/08	05/04	IN *JOINER LABS, LLC 540-3477212 VA	24692161125100738199820	8734	65.00	
05/08	05/04	IN *JOINER LABS, LLC 540-3477212 VA	24692161125100738199838	8734	100.00	
05/08	05/04	IN *JOINER LABS, LLC 540-3477212 VA	24692161125100738199846	8734	20.00	
05/08	05/04	IN *JOINER LABS, LLC 540-3477212 VA	24692161125100738199853	8734	170.00	

BERRYVILLE TOWN OF
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Transactions

Posting Transaction	Date	Date	Description	Reference Number	MCC	Charge	Credit
	05/06	05/04	IN *JOINER LABS, LLC 540-3477212 VA	24692161125100738189661	8734	220.00	
	05/06	05/04	IN *JOINER LABS, LLC 540-3477212 VA	24692161125100738189679	8734	220.00	
	05/10	05/09	AMAZON.COM'0R0VROTNS AMZNAMZN.COM/BILLWA	24431061129083730602185	5942	1,511.88	
	05/11	05/10	REPUBLIC SERVICES TRASH 866-578-6548 AZ	24941661130083742230162	4900	4,240.05	
	05/11	05/10	WATER - COFFEE DELIVERY 800-4928377 GA	24717051130161300251073	5199	13.78	
	05/11	05/10	USA BLUE BOOK 800-540-1234 IL	24040451130336000059453	5085	141.88	
	05/11	05/10	IN *JOINER LABS, LLC 540-3477212 VA	24692161131100134850208	8734	220.00	
	05/11	05/10	IN *JOINER LABS, LLC 540-3477212 VA	24692161131100134850216	8734	215.00	
	05/12	05/10	BERRYVILLE AUTO PARTS INC800-4498012 VA	24767891131696100163353	5533	13.49	
	05/12	05/10	RIDDLEBERGER BROTHERS 540-434-1731 VA	24038161131017032858559	1711	1,524.00	
	05/14	05/12	IN *JOINER LABS, LLC 540-3477212 VA	24692161133100612489253	8734	85.00	
	05/17	05/14	GRIFFITH ENERGY SERVIC 410-956-3000 MD	24256021138017041605203	5983	2,692.91	
	05/19	05/17	HACH COMPANY 970-6631377 CO	24801991138018010294203	5005	442.91	
	05/20	05/18	WEED MAN WINCHESTER 540-5452010 VA	24884801139900013710614	0780	500.00	
	05/20	05/18	BERRYVILLE AUTO PARTS INCBERRYVILLE VA	24767891130738100095052	5533	26.69	
	05/24	05/21	FAMILY DOLLAR #3110 BERRYVILLE VA	24231881142037000048128	5331	8.42	
	05/24	05/21	MCMASER-CARR 630-834-9600 IL	24789301143754000172980	5085	752.78	
	05/27	05/26	IN *JOINER LABS, LLC 540-3477212 VA	24692161147100895492598	8734	220.00	
	05/27	05/26	IN *JOINER LABS, LLC 540-3477212 VA	24692161147100895492606	8734	220.00	
	05/27	05/26	IN *JOINER LABS, LLC 540-3477212 VA	24692161147100895492614	8734	220.00	
	05/27	05/26	IN *JOINER LABS, LLC 540-3477212 VA	24692161147100895492622	8734	170.00	
	05/27	05/26	IN *JOINER LABS, LLC 540-3477212 VA	24692161147100895492630	8734	85.00	
	05/28	05/28	GERALD TAYLOR CO INC WILLIAMSPORT MD	24142021147900013000163	0780	830.16	
	05/28	05/27	AMZN Mktg US'2R0624HW0 Amzn.com/BILLWA	24692161148100551639853	5942	15.99	
	05/31	05/27	IN *JOINER LABS, LLC 540-3477212 VA	24692161148100664953704	8734	220.00	
WHITE, NEAL						Total Activity	
Account Number: [REDACTED]						4,186.14	

05/03	04/30	SQ *BRAZEN SHEEP Berryville VA	24692161120100387302884	5091	69.00	
05/04	05/03	USPS PO 5107680300 BERRYVILLE VA	24137401124001345491071	9402	1.60	
05/06	05/05	ATLANTIC TACTICAL INC 919-779-6141 PA	24431061125083732712630	5399	681.66	
05/06	05/05	BKT UNIFORMS INC ROANOKE VA	24013391125000730576798	6137	489.29	
05/07	05/05	IN *TRITON TRAINING GROUP278-2684254 VA	24692101126100490314887	8249	400.00	
05/07	05/05	BERRYVILLE AUTO PARTS INC800-4498012 VA	24767891126671800190607	5533	171.16	
05/13	05/12	AT&T PREMIER EBIL 800-331-0500 GA	24493081133812423918807	4814	229.44	
05/14	05/13	SQ *BRAZEN SHEEP Berryville VA	24692161133100107661012	5691	15.00	
05/17	05/16	AMAZON.COM'2L8VJ0Q32 AMZNAMZN.COM/BILLWA	24431061136083349418248	5942	118.80	
05/18	05/17	AMAZON.COM'2L3060UQ0 AMZNAMZN.COM/BILLWA	24431061137083710835560	5942	135.02	
05/28	05/27	USPS PO 5107680300 BERRYVILLE VA	24137461148001302008826	9402	5.79	
05/31	05/29	BKT UNIFORMS INC ROANOKE VA	24013391148004236076140	6137	325.60	
05/31	05/28	VIRGINIA ASSOCIATION OF CB04-2058227 VA	24639231148900015100021	8699	175.00	
05/31	05/28	FBI LEEDA INC 877-772712 PA	24559301148900010424817	8398	695.00	
05/31	05/28	RADIAL TIRE DISTRIB URBANURBANA MD	24137461140300710848091	7538	139.00	
05/31	05/28	AMERIFAX ORANGE CA	24137471148000019600016	5111	533.08	

Finance Charge Calculation

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

	Annual Percentage Rate	Balance Subject to Interest Rate	Finance Charges by Transaction Type
PURCHASES	0.00%	\$0.00	\$0.00
CASH	0.00%	\$0.00	\$0.00

V = Variable Rate (rate may vary), Promotional Balance = APR for limited time on specified transactions.

Berryville Town Council Item Report

April 2021

Berryville Auto Parts

April Activity Paid In May

<u>Department</u>	<u>Date</u>	<u>Description of Transaction</u>	<u>Invoice Amount</u>	
Police Dept	4/9/2021	2018 FORD EXPLORER #03: SVC OIL&FILTER,CK FLUID, SVC TRANSMISSION ROTATE TIRES, CK BRAKES	\$	157.57
			\$	157.57
				<u>157.57</u>
	4/9/2021	2017 FRD EXPLORER #05: CK NO FLASHLIGHT OR RECORDER CONTROL R&R FUSES, R&R MAIN ACCESSORY SOLENOID	\$	99.67
			\$	99.67
				<u>99.67</u>
				<u>\$ 99.67</u>
Utilities	4/16/2021	DOUBLE A BATTERIES	\$	13.49
	4/27/2021	SHIPPING FOR ELECTRONIC PARTS	\$	23.01
	4/6/2021	SHIPPING FOR PARTS	\$	24.60
	4/1/2021	REPLACE HEADLIGHT & TAIL LIGHT FOR STP TRUCK	\$	27.69
			\$	88.79
				<u>88.79</u>
				<u>\$ 88.79</u>
		Total spent in March/April 2021		<u>\$ 346.03</u>
		Previous Months Balance forward	\$	8,102.07
		Total spent fiscal year to date	\$	<u>8,448.10</u>

NOTES:

ALL STATE INSPECTIONS ARE DONE AT NO CHARGE

Total Shop Supplies to date	1247.93
Total Vehicle charges to date	7200.17

On-Line Prints - May 2021

Deposit Date	On Line Batch date	Checks		Credit Card		Total	Bk Ref
		Date to Bnk	Amount	Date to Bnk	Amount		
5/5/2021	5/3/2021	640.21		796.93		1,437.14	UB Online Pmt deposited on 5/5/21 Batch#17018
5/6/2021	5/2/2021	0.00		100.16		100.16	UB Online Pmt deposited on 5/6/21 Batch#17019
5/7/2021	5/3/2021	517.31		426.25		943.56	UB Online Pmt deposited on 5/7/21 Batch#17048
5/10/2021	5/5/2021	1,112.06		37.37		1,149.43	UB Online Pmt deposited on 5/10/21 Batch#17064
5/10/2021	5/6/2021	1,018.27		698.65		1,716.92	UB Online Pmt deposited on 5/10/21 Batch#17077
5/10/2021	5/7/2021	275.25		544.25		819.50	UB Online Pmt deposited on 5/10/21 Batch#17124
5/10/2021	5/7/2021	0.00		40.15		40.15	TAX(PP) Online Pmt deposited on 5/10/21 Batch#17125
5/11/2021	5/7/2021	1,126.96		378.26		1,505.22	UB Online Pmt deposited on 5/11/21 Batch#17130
5/12/2021	5/8/2021			201.84		201.84	UB Online Pmt deposited on 5/12/21 Batch#17131
5/13/2021	5/9/2021	290.05		96.00		386.05	UB Online Pmt deposited on 5/13/21 Batch#17132
5/14/2021	5/10/2021	328.94		356.31		685.25	UB Online Pmt Deposited on 5/14/21 Batch#17136
5/14/2021	5/10/2021			66.27		66.27	TAX(PP) Online Pmt Deposited on 5/14/21 Batch#17135
5/17/2021	5/11/2021	240.73		12,153.40		12,394.13	UB Online Pmt Deposited on 5/17/21 Batch#17147
5/17/2021	5/12/2021	823.87		588.20		1,412.07	UB Online Pmt Deposited on 5/17/21 Batch#17153
5/17/2021	5/13/2021	556.20		696.62		1,252.82	UB Online Pmt Deposited on 5/17/21 Batch#17155
5/18/2021	5/14/2021	3,263.12		1,777.54		5,040.66	UB Online Pmt Deposited on 5/18/21 Batch#17161
5/19/2021	5/15/2021	457.20		0.00		457.20	TAX(PP) Online Pmt Deposited on 5/19/21 Batch#17159
5/19/2021	5/15/2021	916.15		980.94		1,897.09	UB Online Pmt Deposited on 5/19/21 Batch#17162
5/20/2021	5/16/2021	171.00		88.21		259.21	UB Online Pmt Deposited on 5/20/21 Batch#17163
5/21/2021	5/17/2021	1,641.51		553.55		2,195.06	UB Online Pmt Deposited on 5/21/2021 Batch#17178
5/24/2021	5/18/2021	0.00		107.40		107.40	TAX(RE) Online Pmt Deposited on 5/24/2021 Batch#17182
5/24/2021	5/18/2021	50.00		327.42		377.42	UB Online Pmt Deposited on 5/24/2021 Batch#17183
5/24/2021	5/19/2021	488.21		297.05		785.26	UB Online Pmt Deposited on 5/24/2021 Batch#17188
5/24/2021	5/20/2021	489.89		737.73		1,227.62	UB Online Pmt Deposited on 5/24/2021 Batch#17205
5/24/2021	5/20/2021	26,872.40		-		26,872.40	TAX(RE) Online Pmt Deposited on 5/24/2021 Batch#17205
5/24/2021	5/20/2021	0.00		649.77		649.77	TAX(PP) Online Pmt Deposited on 5/24/2021 Batch#17204
5/25/2021	5/21/2021	185.00		438.20		623.20	UB Online Pmt Deposited on 5/25/2021 Batch#17209
5/26/2021	5/22/2021	0.00		264.63		264.63	UB Online Pmt Deposited on 5/26/21 Batch#17210
5/27/2021	5/23/2021	0.00		151.00		151.00	UB Online Pmt Deposited on 5/27/21 Batch#17211
5/28/2021	5/24/2021	429.10		354.89		783.99	UB Online Pmt Deposited on 5/28/21 Batch#17217
5/28/2021	5/24/2021	0.00		423.30		423.30	TAX(RE) Online Pmt Deposited on 5/28/21 Batch#17216
6/1/2021	5/25/2021	0.00		980.14		980.14	UB Online Pmt Deposited on 6/1/2021 Batch#17224
6/1/2021	5/26/2021	37.37		939.99		977.36	UB Online Pmt Deposited on 6/1/2021 Batch#17228
6/1/2021	5/26/2021	914.10		-		914.10	TAX(RE) Online Pmt Deposited on 6/1/2021 Batch#17229
6/1/2021	5/27/2021	329.89		429.10		758.99	UB Online Pmt Deposited on 6/1/2021 Batch#17231
6/1/2021	5/27/2021	0.00		100.40		100.40	TAX(PP) Online Pmt Deposited on 6/1/2021 Batch#17232
6/1/2021	5/27/2021	187.30		-		187.30	TAX(RE) Online Pmt Deposited on 6/1/2021 Batch#17233
6/1/2021	5/28/2021	94.74		430.62		525.36	UB Online Pmt Deposited on 6/1/2021 Batch#17239
6/1/2021	5/28/2021	259.50		-		259.50	TAX(PP) Online Pmt Deposited on 6/1/2021 Batch#17234
6/1/2021	5/28/2021	0.00		29.87		29.87	TAX(RE) Online Pmt Deposited on 6/1/2021 Batch#17236
6/2/2021	5/29/2021	426.66		-		426.66	UB Online Pmt Deposited on 6/2/2021 Batch#17240
6/2/2021	5/29/2021	25.12		-		25.12	TAX(PP) Online Pmt Deposited on 6/2/2021 Batch#17235
6/2/2021	5/29/2021	0.00		136.70		136.70	TAX(RE) Online Pmt Deposited on 6/2/2021 Batch#17237
	5/30/2021	215.31		151.00		366.31	UB Online Pmt Deposited on Batch#17241
	5/31/2021	328.94		337.88		666.82	UB Online Pmt Deposited on Batch#17242
	5/31/2021	0.00		80.00		80.00	TAX(RE) Online Pmt Deposited on Batch#17238
						72,664.35	
						-6,434.63	
						66,229.72	

**Berryville Town Council Item Report Summary
June 8, 2021**

Item Title

Community Development - Discussion: Update of www.berryvilleva.gov

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. Website discussion

Recommendation

Sample Motion

Overview

The Community Development Committee is of the opinion that COVID-19 revealed areas where the Town's communication with citizens of the Town needs improvement. They are also of the opinion that the Town's website is a vital tool for dissemination of important information to the community (including information on health, safety, and welfare related matters). Accordingly, the Committee has been discussing the need to update the Town's website.

The Committee met with a representative of the Town's website designer and host (CIVIC PLUS) to discuss the current site and what can be done to improve this important communication tool.

The Committee received pricing from CIVIC PLUS for updating the Town's website.

Request

The Committee recommends that the Council consider funding a "Standard Implementation Package" with a "5-year Standard Redesign". The cost of the "Standard Implementation Package" is \$6,773. The cost of the "5-year Standard Redesign" option is \$1,107.

The Committee recommends funding the website update through either ARPA funds (if eligible) or General Fund contingency funds (FY22).

Attachment

- Website update/redesign costs

Standard Implementation Package - Price: \$6,773 (one-time fee)

STANDARD WEBSITE EXAMPLES (These have been updated to the new designs since we last spoke) - <https://cp-design.civicplus.com/153/Standard-Website-Examples>

- FIXED layout – Client chooses one of five preset layout options.
- FLEXIBLE design – Creative customization of the selected layout with specified color palette, logos, and images.
- *Content QC - Ensuring that content is congruous with new design application. No changes or edits in content will be made.*

Premium Implementation Package - Price: \$12,635 (one-time fee)

PREMIUM WEBSITE EXAMPLES - <http://cp-design.civicplus.com/154/Premium-Website-Examples>

- FLEXIBLE Layout – Client chooses options from Premium Layout Library with more than 1,200 possible layout configurations.
- CUSTOM Design – Quality custom design and personalization enhances selected layout configuration.
- UP TO 1 Advanced Design Component*

- *Content QC - Ensuring that content is congruous with new design application. No changes or edits in content will be made.*

Along with purchasing a one-time redesign now, you also have the option to add-on a Recurring Redesign, which can give you the option to refresh your website design after an extended period of time (3, 4, or 5 years).

3-Year Redesign (optional)

Standard: \$1,845

Premium: \$2,948

4-Year Redesign (optional)

Standard: \$1,384

Premium: \$2,211

5-Year Redesign (optional)

Standard: \$1,107

Premium: \$1,769

**Berryville Town Council Item Report Summary
June 8, 2021**

Item Title

Personnel, Appointments, and Policy - Appointment to the Planning Commission

Appointment to the Berryville Area Development Authority

Prepared By

Background/History/General Information

Findings/Current Activity

Financial Considerations

Schedule/Deadlines

Other Considerations

Attachments

1. Appointments

Recommendation

Sample Motion

Town Council Agenda Item Report Summary

June 8, 2021

Item Title

Planning Commission Appointment

Prepared By

Christy Dunkle

Background/History/General Information

The Personnel Committee is recommending the appointment of Tom Parker to the Berryville Planning Commission. He has served on the Berryville Area Development Authority since January of 2019. He wishes to move to the Berryville Planning Commission to fill the unexpired term of Deb Zimmerman.

Findings/Current Activity

Serving as chair and vice chair of the Clarke County School Board, Mr. Parker has also served on the Planning Commission in Hamilton, VA. He has lived in Berryville since 2018 and has been employed as chief of staff for Loudoun County for over nine years.

Financial Considerations

N/A

Schedule/Deadlines

The Planning Commission meets the fourth Tuesday of each month.

Other Considerations

N/A

Recommendation

Appoint Mr. Parker to fill the unexpired term of Deb Zimmerman on the Berryville Planning Commission.

Sample Motion

I move that the Council of the Town of Berryville appoint Thomas R. Parker, Jr. to the Berryville Planning Commission to fill the unexpired term of Deb Zimmerman which expires on November 12, 2021.

Town Council Agenda Item Report Summary

June 8, 2021

Item Title

Berryville Area Development Authority Appointment

Prepared By

Christy Dunkle

Background/History/General Information

The Personnel Committee is recommending the appointment of John Hudson to the Berryville Area Development Authority to fill Tom Parker's unexpired seat.

Findings/Current Activity

Mr. Hudson is currently the executive director of the Bank of Clarke County Foundation. Growing up in Boyce, he is a lifelong Clarke County resident. Mr. Hudson has also served on the board of the Salvation Army, was a founding member of the Clarke County Education Foundation, and a member of the Berryville Architectural Review Board.

Financial Considerations

N/A

Schedule/Deadlines

The Berryville Area Development Authority meets the fourth Wednesday of each month.

Other Considerations

N/A

Recommendation

Appoint Mr. Hudson to fill the unexpired term of Tom Parker on the Berryville Area Development Authority.

Sample Motion

I move that the Council of the Town of Berryville appoint John Hudson to the Berryville Area Development Authority to fill the unexpired term of Tom Parker which expires on December 30, 2021.

Motion to Enter Closed Session

I move that the Council of the Town of Berryville enter closed session in accordance with §2.2-3711-A-1 of the Code of Virginia, to discuss and evaluate the performance of a specific individual.

DATE: June 8, 2021

MOTION:

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: _____

Erecka Gibson, Recorder

TOWN COUNCIL
MOTION
CLOSED SESSION RESOLUTION

DATE: June 8, 2021

MOTION BY:

SECOND BY:

I move that the Council of the Town of Berryville adopt the following resolution certifying it has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act:

Resolution

WHEREAS, Section 2.2-3712.D of the Code of Virginia requires a certification by this Council that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED that the Council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: _____
Erecka Gibson, Recorder